

AGENDA
EXECUTIVE COMMITTEE

Courtyard by Marriott
Lincoln, Nebraska

April 24, 2025

Call to Order at: 12:00 p.m. (Central Daylight Time)
Conducting: Julie Cunningham, Vice-Chair

Boardroom

TAB

1. **Welcome and Introductions**
2. **Approval of Minutes**
- D 3. **Report on Budget and Finances** – Tony Willardson
- C 4. **Sunsetting Positions** –
Position #478 - Rural Water Infrastructure Needs and Projects
Position #479 - Renewable Hydropower Development
Position #480 - Migratory Birds & the Management of State Water Rights & Resources
Position #481 - Clean Water Act Jurisdiction
- E 5. **Executive Director's Report/WSWC Activities and Events** – Tony Willardson
(Newsletter metrics)
- F 6. **WSWC Strategic Directions Survey**
7. **Executive Director Succession Discussion** – Julie Cunningham
- G 8. **Future WSWC Meetings** – Candice Hasenyager/Jeanine Jones
- B 9. **Council Membership Update** – Tony Willardson
- H 10. **FY2025-2026 Committee Work Plan**
- XYZ 11. **Sunsetting Positions for Summer 2025 Meetings** – #482-#485
Position #482 - Radio Frequencies necessary for Weather forecasting and Water Management

Position #483 - Strengthening the Resiliency of Our Nation to the Impacts of Extreme Weather Events

Position #484 - Hydraulic Fracturing

Position #485 - Urging the Administration and Congress to Support Water Research and Development Programs at the Department of Energy National Laboratories
10. **Other Matters**
- 1:15 p.m. **Adjourn**

Tab D – Budget

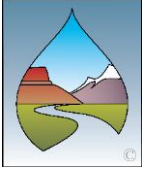
FY2025 Approved Budget & July-June Income and Expenses

	FY2024-25 Approved Budget	July-March Income & Expenses	Estimate Remainder of FY2024-25
<u>INCOME</u>			
Member States Assessments	\$ 648,000.00	\$ 648,000.00	\$ -
Miscellaneous Income	\$ -	\$ 850.00	\$ -
PTIF Interest	\$ 46,400.00	\$ 37,617.12	\$ 10,000.00
WellsFargo Interest	\$ -	\$ 22.84	\$ 7.00
Joint Meeting Income	\$ -	\$ 5,904.43	\$ -
Council Meeting Sponsors	\$ 6,750.00	\$ 3,875.00	\$ 5,875.00
Symposium/Workshop Sponsors (no CA S2S workshop)	\$ -	\$ -	\$ -
NARF WSWC Symposium (net)	\$ -	\$ -	\$ -
USBR Water SMART (\$200k/2 years)	\$ 827.00	\$ 727.03	\$ -
Water Foundation Grant	\$ -	\$ -	\$ -
BHP Foundation - Duke Year 3	\$ 20,374.45	\$20,374.45	\$ -
BHP Foundation - Duke Year 4 (\$37,500) beginning Oct. 2024	\$ 37,500.00	\$ 21,248.25	\$ 16,251.75
USBR Water SMART (\$400k/2 years)	\$ 200,000.00	\$ 319,729.86	\$ 80,270.14
WSWC Water SMART match	\$ 200,000.00	\$ 150,000.00	\$ 50,000.00
Lincoln Institute CSG/USBR Subcontract (thru 9/25)	\$ 80,000.00	\$ 24,514.93	\$ 22,382.35
Thornburg Foundation et al - New Mexico	\$ 4,300.00	\$ 4,300.00	\$ -
Other		\$ -	\$ -
TOTAL INCOME	\$ 1,244,151.45	\$ 1,237,163.91	\$ 184,786.24

<u>EXPENSE</u>			
Accounting	\$ 4,000.00	\$ 2,235.12	\$ 1,764.88
Annual & Sick Leave Funding	\$ -		\$ -
Audit	\$ 3,000.00	\$ 6,000.00	\$ -
Contingencies	\$ 8,000.00	\$ 4,253.00	\$ 3,747.00
Contract Services (Independent Contractors)	\$ 3,500.00	\$ -	\$ 23,500.00
Contracted Office Maintenance	\$ 3,400.00	\$ 2,700.00	\$ 1,800.00
Equipment Replacement Fund	\$ -		\$ -
Furniture-Equipment	\$ -	\$ 299.23	\$ -
Internet & Email (Comcast & UT Div. Tech Services)	\$ 5,250.00	\$ 4,103.75	\$ 1,400.00
Insurance	\$ 2,200.00	\$ 1,690.00	\$ -
Meetings & Arrangements	\$ 30,300.00	\$ 39,429.67	\$ 18,000.00
Office Supplies	\$ 1,200.00	\$ 667.09	\$ 532.91
Payroll Benefits			
Dental Insurance	\$ 3,485.00	\$ 2,180.65	\$ 719.61
Life Insurance	\$ 328.00	\$ 196.20	\$ 64.75
LT Disability Insurance	\$ 2,182.00	\$ 1,520.51	\$ 501.77
Medical Insurance	\$ 89,362.00	\$ 55,100.46	\$ 18,183.15
Pension	\$ 74,165.00	\$ 37,809.62	\$ 12,477.17
Payroll Salaries	\$ 436,263.00	\$ 259,180.22	\$ 85,529.47
Payroll Taxes (unemployment ins)	\$ 32,774.00	\$ 19,897.30	\$ 6,566.11
Pension Management	\$ 8,500.00	\$ 1,990.88	\$ 4,120.00
Postage & Freight	\$ 600.00	\$ 182.42	\$ 417.58
Printing & Reproduction	\$ 1,200.00	\$ 358.39	\$ 841.61
HOA Fees (w/o Property Tax)	\$ 4,500.00	\$ 2,718.00	\$ 1,782.00
Property Tax	\$ 3,500.00	\$ 3,212.33	\$ -
Storage Rent	\$ 6,505.00	\$ 4,307.00	\$ 1,641.00
Reports & Publications	\$ 6,000.00	\$ 5,807.79	\$ 1,916.57
Symposium (Nat'l Water Data Workshop)	\$ -		\$ -
Symposium (CDWR-S2S)	\$ -		\$ -
Symposium (WSWC / NARF)	\$ -		\$ -
Telephone (UBS)	\$ 1,750.00	\$ 1,260.00	\$ 415.80
Travel	\$ 36,700.00	\$ 22,040.87	\$ 19,012.71
Utilities (Questar & Murray Power)	\$ 1,500.00	\$ 1,423.54	\$ 469.77
Other - Software & Licensing	\$ 15,987.00	\$ 2,861.82	\$ 10,776.40
WaDE Accelerator & Consulting (DPL)	\$ 8,000.00	\$ 7,140.00	\$ 1,500.00
WestDAAT 2.0 Update (DPL)	\$ -	\$ 213,507.50	\$ 21,800.00
WestCAT Key Crossover Questions (DPL)	\$ -	\$ 79,422.50	\$ -
WestCAT Development (DPL)	\$ 350,000.00	\$ 241,750.00	\$ 45,990.00
SWCA Contractor Payments	\$ 100,000.00	\$ 108,125.57	\$ -
TOTAL EXPENSES	\$ 1,244,151.00	\$ 1,133,371.43	\$ 285,470.27
Balance	\$ -	\$ 103,792.48	\$ (100,684.03)

\$ 3,108.45

Tab C – WSWC Policy Positions



Position No.

RESOLUTION
of the
WESTERN STATES WATER COUNCIL
regarding
THE EXTENSION OF NPDES PERMIT TERMS
Lawrence, Kansas Lincoln, Nebraska
October 23, 2024 April 25, 2025

WHEREAS, the Western States Water Council (WSWC) is a government entity representing eighteen states, with members appointed by their respective governors; and

WHEREAS, the WSWC's mission is to ensure that the West has an adequate, secure, and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future; and

WHEREAS, the federal Clean Water Act (CWA) created the National Pollutant Discharge Elimination System (NPDES) in 1972, addressing water pollution by regulating point sources that discharge pollutants to waters of the United States; and

WHEREAS, the CWA 33 U.S.C. 1342(b)(1)(B) indicates NPDES permits "are for fixed terms not exceeding five years"; and

WHEREAS, most states are now authorized to implement all or part of the CWA NPDES program; and

WHEREAS, the task of implementing the NPDES program has increased in scope and complexity since 1972, including: the number and type of sources needing permits, the scope of projects under consideration, and the environmental and social considerations to be included in permit writing; and

WHEREAS, for States with approved CWA programs, the role of the Environmental Protection Agency (EPA) is one of oversight and not implementation of core program activities; and

WHEREAS, understanding of water quality issues is constantly evolving, and the resulting increased demands on state-level administrative processes require increased capacity, innovation, efficiency, flexibility, and long-term planning; and

WHEREAS, ~~modern~~ water quality infrastructure investments often involve projects with construction terms that extend beyond five years; and many local public agencies cannot complete the planned upgrades before beginning the permitting process anew, requiring them to negotiate new terms and requirements while balancing extensive environmental reviews, project design, scheduling, and labor and construction agreements; and

Commented [EO1]: Revised for simplicity

WHEREAS, extending the upper limit of NPDES permit terms to 10 years would provide States discretionary authority to set an appropriate length during the permit writing process, allowing States to maximize the use of limited resources, ~~provide permittees the necessary time to comply with existing permits, better plan and construct invest in~~ new technologies and facilities, ~~better support other department responsibilities, and focus on non-point~~ and watershed-based approaches; and

Commented [EO2]: Revised for simplicity. First revision removed "watershed-based approaches", but the subcommittee replaced it.

WHEREAS, EPA tracks permit backlogs and encourages authorized permit programs to work to "increase efficiencies in the permitting process to decrease the NPDES permit backlog" to provide

greater certainty to the business community; and

WHEREAS, States striving to reduce permit backlogs are faced with challenges including a widening universe of permit-seeking facilities; stagnant or declining funding; increasing federal guidelines, ~~issues with~~ staffing and retention; ~~implementation of other regulations;~~ and increasing permit complexity ~~due to numeric water quality standards, Total Maximum Daily Load (TMDL) requirements;~~ and ~~more comprehensive effluent guidelines; and~~

Commented [E03]: Revised for simplicity

WHEREAS, States have demonstrated the ability and authority to implement other controls using 10-year permit terms including Resource Conservation and Recovery Act (RCRA), solid waste disposal (42 U.S.C. §6925 (c)(3)), and state water pollution control permit programs for ~~Concentrated Animal Feeding Operations (CAFO)~~ animal feeding operations where 5-year NPDES permits are not required; and

Commented [E04]: Changed to include a wider range of States' approaches to animal feeding operations. Tom Stiles noted that AFOs were not reflected.

WHEREAS, permits contain clauses to reopen, amend and/or modify permits following proper administrative procedures to update the appropriate requirements (40 CFR 122.62 and 124.5), allowing permitting authorities to respond to changes in standards, technologies and water quality needs, as well as public concern prior to permit expiration; and

NOW, THEREFORE, BE IT RESOLVED, the Western States Water Council supports amending the federal Clean Water Act 33 U.S.C. 1342(b)(1)(B) to indicate NPDES permits "are for fixed terms not exceeding 10 years," ~~while retaining~~ provided existing authority to reopen permit terms based on current law ~~is retained~~.

Commented [E05]: Changed to provide more emphasis that existing authority to reopen should not be removed by language compelling States to use 10 year permits.

BE IT FURTHER RESOLVED, the Western States Water Council encourages Congress and the Administration to provide adequate funding consistent with federal statutory authorities and regulatory mandates, at levels needed for states to fully implement federal environmental programs.



POSITION STATEMENT
of the
WESTERN STATES WATER COUNCIL
in support of
RURAL WATER INFRASTRUCTURE NEEDS & PROJECTS
Arlington, VirginiaLincoln, Nebraska
April 6, 2022April 25, 2025

WHEREAS, the Western States Water Council (WSWC) is a government entity representing eighteen states, with members appointed by their respective governors; and

WHEREAS, the WSWC's mission is to ensure that the West has an adequate, secure, and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future; and

WHEREAS, much of the West is characterized by its aridity and drought which highlights the fact that water availability is an ever present constraint defining our economic and environmental well-being and quality of life; and

WHEREAS, this is particularly true for many small rural communities struggling to meet existing and future water supply needs and comply with present federal regulatory mandates; and

WHEREAS, over 90% of public water systems in the United States are small systems, serving 10,000 or fewer people; and

WHEREAS, these small systems face unique challenges, including financial constraints, aging infrastructure, technical operations and managerial administrative expertise, reduced or contaminated water supplies, and lack of access to alternative water supplies; and

WHEREAS, small system infrastructure consolidation poses significant challenges, particularly for geographically isolated communities; and

Commented [MB1]: Consolidation - sharing infrastructure (should we define this in the position?)

WHEREAS, regionalization of shareable technical and managerial resources across multiple small systems may present opportunities for small systems to make meaningful improvements; and

Commented [MB2]: Regionalization - sharing resources (should we define this in the position?)

WHEREAS, the Bureau of Reclamation's rural water program seeks to identify rural water needs and evaluate rural water supply projects and the demand for new projects; and

WHEREAS, in 2014, the Bureau of Reclamation working with other federal agencies and the Western States Water Council estimated the demand for potable water supply systems in rural areas of the 17 western States to be in the range of \$5 billion to \$9 billion for non-Indian projects and approximately \$1.5 billion for specific Indian water supply projects; and

WHEREAS, Reclamation also estimated that the cost to complete currently authorized projects that are under construction rose from \$2 billion originally authorized to \$2.4 billion in 2014, and

continues rising, and that given past levels of funding these priority projects will not likely be completed until well after 2065 at a cost of more than \$5.8 billion; and

WHEREAS, ~~recent investments by Congress have supported Reclamation's efforts to accelerate the completion of authorized rural water projects in Montana, New Mexico, North Dakota, and South Dakota; Reclamation has released a blueprint for spending \$1.66 billion annually through 2026 to implement the 2022 Bipartisan Infrastructure Law, including \$420 million for rural water projects to benefit tribal and non-tribal underserved communities by providing better access to potable water;¹ and~~

WHEREAS, there are several rural water projects that are under construction and two new rural water projects authorized in P.L. 116-260 (one for study only and one for construction) that may be eligible for funding; and

WHEREAS, Reclamation has in the past not requested funds for grants to undertake additional appraisal investigations or feasibility studies for new rural water projects, given the significant authorized backlog and lack of federal funding²; and

WHEREAS, there is an important role for the States in the conduct of appraisal investigations and feasibility studies, preparation of feasibility reports, and identifying other funding sources; and

WHEREAS, with respect to funding sources, more money is needed to address rural water needs and we continue to strongly support the expenditure of Reclamation Fund revenues for their intended purposes, including rural water projects, as authorized by the Congress; and

WHEREAS, USDA's Rural Development is a leader in helping rural communities with populations of 10,000 or less, including native Alaskan villages, tribal lands and colonias; and

WHEREAS, Rural Development's Water & Environmental Programs (WEP) invest billions to help rural communities improve quality of life and increase economic opportunities through technical assistance and financing to develop safe drinking water, wastewater and sanitary waste disposal systems; and

WHEREAS, WEP provides water and waste disposal grants, loans, loan guarantees, predevelopment planning grants, revolving loan funds, technical assistance and training grants, emergency community water assistance grants, and a circuit rider program, as well as individual water and wastewater grants and household water well system grants; and

WHEREAS, existing federal and state rural water and wastewater programs must be coordinated to facilitate the most efficient and effective solution to meeting the water needs of non-federal project sponsors; and

WHEREAS, upgrading and replacing inadequate rural water systems may require finding new water supplies, which will entail acquiring necessary state water rights; and

WHEREAS, continuing compliance with state water laws and interstate compacts is vital; and

¹ ~~Bureau of Reclamation Implementation of the Bipartisan Infrastructure Law (usbr.gov);~~

² <https://www.usbr.gov/ruralwater/docs/Rural-Water-Assessment-Report.pdf>; pp. 6-7, 11.

WHEREAS, opportunities exist to leverage non-federal funding through federal loan guarantees and other financial instruments to ensure that water districts can access private sources of financing; and

WHEREAS, water districts and individual water users depend on federal and non-federal infrastructure for their livelihood and the risk of default is minimal.

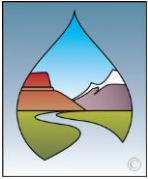
NOW THEREFORE BE IT RESOLVED that the Western States Water Council supports federal and state legislative and administrative actions to authorize and implement rural water supply projects and programs that enhance water supplies and promote economic development, through streamlined permitting processes and appropriate financing instruments, while appropriately protecting environmental resources and taxpayers.

BE IT FURTHER RESOLVED that the Western States Water Council supports the appropriation of sufficient funds to undertake additional appraisal investigations or feasibility studies for new rural water projects.

~~**BE IT FURTHER RESOLVED** that the Western States Water Council also supports the development and implementation of appropriate and informed soil, water and watershed conservation programs at all levels to minimize demands placed on our natural resources and ecosystems.~~

BE IT FURTHER RESOLVED that rural water project development should recognize and ensure consistency with state water law and regulatory authority.

Revised and Readopted
(see also Position No. 478, 4/06/22; 432, 3/22/2019;
Position No. 390, 3/22/16; and Position No. 350, 4/5/2013)



**POSITION STATEMENT
of the
WESTERN STATES WATER COUNCIL
in support of
RENEWABLE HYDROPOWER DEVELOPMENT
~~Arlington, Virginia~~Lincoln, Nebraska
~~April 6, 2022~~April 25, 2025**

WHEREAS, the Western States Water Council (WSWC) is a government entity representing eighteen states, with members appointed by their respective governors; and

WHEREAS, the WSWC's mission is to ensure that the West has an adequate, secure, and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future; and

WHEREAS, the water and hydropower resources of the West have been developed through partnerships between energy and water users, and continue to be inextricably connected; and

WHEREAS, clean, efficient, inexpensive hydropower is a vital part of the energy resources needed to meet our present and future energy demands; and

WHEREAS, hydropower is ~~the primary~~an important source of renewable electricity in the United States, representing about ~~48%~~27% of total renewable electricity generation, with approximately ~~103.44~~ gigawatts (GW) of capacity and nearly 5.7% of total electricity generation¹; and

WHEREAS, the potential exists for further public and private development of this valuable resource, including upgrading existing generators, developing small hydro and the power potential from low-head hydro on existing man-made conduits and canals, development of tidal energy power systems, as well as hydroelectric pumped storage projects; and

WHEREAS, other than those projects requiring review by the Federal Energy Regulatory Commission (FERC), such development can often be undertaken with little impact on the environmental and important ecological resources, requiring minimal further environmental review; and

WHEREAS, permitting requirements may be appropriately minimized and streamlined so as to promote reasonable development while avoiding unnecessary costs; and

WHEREAS, the future development of potential hydropower resources should be appropriately undertaken in compliance with substantive and procedural state water law and interstate compacts, and consistent with the States' authority under Clean Water Act Section 401; and

WHEREAS, the rights and preference privileges of existing water and power users should be respected; and

WHEREAS, federal legislation has from time to time been introduced to further authorize and promote the wise and sustainable development of our renewable hydropower resources, also creating jobs, providing economic relief to power users, and reducing carbon emissions; and

Commented [MB1]: Note from Lauren re: pumped hydropower systems and FERC review - not minimal environmental review

¹ <https://www.energy.gov/sites/prod/files/2016/10/f33/Hydropower-Vision-Chapter-2-10212016.pdf>; p. 3, 76.

WHEREAS, hydropower is a prominent component of electricity generation in a number of western states, and important part of state renewable portfolio standards; and

WHEREAS, the potential exists to increase hydropower production by as much as 189 GW²-by rehabilitating, expanding and upgrading existing facilities, powering non-powered dams, installing hydropower at existing conduits and canals, development of tidal energy power systems, as well as developing new project sites.³

NOW THEREFORE BE IT RESOLVED that the Western States Water Council supports federal legislative and administrative actions to authorize and implement reasonable hydropower projects and programs that enhance our electric generation capacity and promote economic development, through efficient permitting processes, while appropriately protecting environmental resources and respecting States' 401 certification authority under the Clean Water Act and States' authority over water allocation within their borders.

BE IT FURTHER RESOLVED that the Western States Water Council also supports the development and implementation of appropriate energy and water conservation programs at all levels to minimize demands placed on our natural resources and ecosystems.

BE IT FURTHER RESOLVED that past, present and future hydropower development and operational changes should recognize and ensure consistency with state law and regulatory authority and delegated authority under federal law.

Revised and Readopted
(see former Positions No. 479, 4/06/22; 433, 3/22/2019,
No. 391, 3/22/2016 and No. 351, 4/5/2013)

Commented [MB2]: ExComm question about whether this paragraph belongs in this position, while also acknowledging that the water-energy nexus is important and not always well understood.

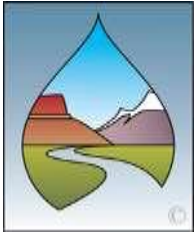
Commented [MB3R2]: Nexus and Conservation language from Position #512:

Whereas: ...energy resource development and related water requirements can be significant on state, local and westwide scales

Now therefore be it resolved that western water and energy planners, policymakers, managers and regulators should consider the following... (3) promoting integrated water and energy conservation and use efficiency... (9) taking advantage of synergies and economies of scale related to integrating water and energy conservation, development and protection programs and projects

² Ibid, pg. 95.

³ Ibid, pg. 95.



RESOLUTION
of the
WESTERN STATES WATER COUNCIL
regarding
MIGRATORY BIRDS AND THE
MANAGEMENT OF STATE WATER RIGHTS AND RESOURCES

~~Arlington, Virginia~~Lincoln, Nebraska
~~April 6, 2022~~April 25, 2025

WHEREAS, the Western States Water Council (WSWC) is a government entity representing eighteen states, with members appointed by their respective governors; and

WHEREAS, the WSWC's mission is to ensure that the West has an adequate, secure, and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future; and

WHEREAS, the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 *et seq.*) prohibits the taking of various migratory birds; and

WHEREAS, in December of 2021, the United States Fish and Wildlife Service (USFWS) revoked its regulation establishing that a taking under the MBTA does not include an incidental taking (86 FR 54642); and

WHEREAS, the USFWS seeks to promulgate a new regulation (86 FR 54667) under the MBTA that would for the first time codify a prohibition on incidental takes and would also allow incidental takes for government agency activities through general and specific permits; and

WHEREAS, water in the West is often a scarce resource critical for both a healthy economy and healthy environment, including protected endangered and threatened species; and

WHEREAS, water is both a public and a private resource, with some uses benefitting the public good as a whole, while others are recognized as protected private property rights; and

WHEREAS, the States are primarily responsible for the allocation, administration, management, and protection of the water resources and rights to the use of water within their borders, as well as the management and protection of migratory birds and the environments upon which they depend; and

WHEREAS, various state and local governmental agencies own or operate water use or distribution facilities which benefit water users and the public as well as migratory birds and their respective environments; and

WHEREAS, many, if not most, of the senior state granted rights to the use of waters in western rivers and streams predate federal environmental protections by decades, and the

certainty provided by early water rights continues to be the foundation for past, present and future investments; and

WHEREAS, the West and its flora and fauna, including protected species, are part of a unique and unparalleled heritage reflecting the Nation's value for wild and open spaces, as well as a western conservation ethic; and

WHEREAS, western States and many western water uses are also committed to the preservation of western species through reasonable, transparent and effective regulatory protections and restrictions, as well as conservation incentives for private property owners; and

WHEREAS, opportunities exist for greater collaboration and cooperation to conserve threatened and endangered species, while recognizing state granted water rights and addressing western water issues, without unmitigated or uncompensated "takings" of either water rights or threatened and endangered species where provided for under state or federal law.

NOW, THEREFORE, BE IT RESOLVED that the Council calls upon federal agencies to engage in a substantive discussion of past, present and future efforts to work in concert with State agencies to implement Congress' intent to resolve water and species protection issues and to ensure the creation of flexible regulations that do not interfere with state management of water resources.

See Former Position No. 480, 4/06/22



**RESOLUTION
of the
WESTERN STATES WATER COUNCIL
regarding
CLEAN WATER ACT JURISDICTION
~~Arlington, Virginia~~Lincoln, Nebraska
~~April 6, 2022~~April 25, 2025**

WHEREAS, the Western States Water Council (WSWC) is a government entity representing eighteen states, with members appointed by their respective governors; and

WHEREAS, the WSWC's mission is to ensure that the West has an adequate, secure, and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future; and

WHEREAS, the Clean Water Act (CWA) is built upon the principle of cooperative federalism in which Congress intended the states, the Environmental Protection Agency (EPA), and the U.S. Army Corps of Engineers (Corps) to implement the CWA as partners, delegating co-regulator authority to the states;

WHEREAS, the CWA's cooperative federalism framework has resulted in significant water quality improvements since the law's enactment in 1972, and western states have made great strides in protecting water quality and coordinating water quality and water quantity decisions; and

WHEREAS, it is imperative that EPA and the Corps actively seek meaningful state consultation, engagement, and participation in the review and development of any new proposed or final rule to define Waters of the United States; and

WHEREAS, States are best positioned to manage the water within their borders because of their on-the-ground knowledge of the unique aspects of their hydrology, geology, and legal frameworks; and

WHEREAS, States have both state statutory and constitutional authority pursuant to their "waters of the state" jurisdiction to protect the quality of waters within their borders, and such jurisdiction generally extends beyond the limits of federal jurisdiction under the CWA; and

WHEREAS, CWA Section 101(b) supports the states' critical role in protecting water quality by stating: "It is the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution;" and

WHEREAS, CWA Section 101(g) further provides that the primary and exclusive authority of each state to "allocate quantities of water within its jurisdiction shall not be superseded, abrogated, or otherwise impaired by this Act;" and

WHEREAS, the Supreme Court has interpreted the jurisdictional scope of the CWA in *U.S. v. Riverside Bayview Homes, Inc.*, 474 U.S. 121 (1985); *Solid Waste Agency of Northern Cook County (SWANCC) v. Corps*, 531 U.S. 159 (2001); and *Rapanos v. United States*, 547 U.S. 715 (2006); and ~~has granted certiorari in~~ *Sackett v. EPA* (#21-424, 143 S. Ct. 1322 (2023)); and

~~**WHEREAS**, perennial streams with a relatively permanent surface water connection to navigable waters are presumptively considered to be under federal CWA jurisdiction consistent with *Rapanos*; and~~

~~**WHEREAS**, Justice Kennedy’s “significant nexus” test in *Rapanos* requires a connection between waters that is more than speculative or insubstantial to establish jurisdiction; and~~

~~**WHEREAS**, Justice Scalia’s plurality opinion in *Rapanos* held that the phrase “waters of the United States” includes only relatively permanent, standing, or continuously flowing bodies of water; and~~

WHEREAS, the U.S. Supreme Court held in *Sackett* that the definition of “waters of the United States” in CWA §1362(7) “encompasses only those relatively permanent, standing or continuously flowing bodies of water forming geographical features that are described in ordinary parlance as streams, oceans, rivers, and lakes” and that this does not apply to all wetlands, but extends only to those wetlands with a continuous surface connection to bodies of water that are “waters of the United States” in their own right, so that they are indistinguishable from those waters; and

WHEREAS, *Sackett* also acknowledged that “temporary interruptions in surface connection may sometimes occur because of phenomena like low tides or dry spells” and that “a landowner cannot carve out wetlands from federal jurisdiction by illegally constructing a barrier on wetlands otherwise covered by the CWA. Whenever the EPA can exercise its statutory authority to order a barrier’s removal because it violates the Act...that unlawful barrier poses no bar to its jurisdiction;” and

WHEREAS, a one-size-fits-all national approach to federal regulations, guidance, and programs pertaining to the CWA does not recognize specific conditions and needs in the West, where water and precipitation can be scarce and a variety of unique waterbodies exist, including small ephemeral washes and arroyos, snow dependent intermittent streams, effluent dependent and dominated streams, prairie potholes, playa lakes, and terminal lakes, as well as numerous man-made reservoirs, impoundments, and water and stormwater conveyance structures; and

WHEREAS, physical, biological, and chemical differences between waters, and hydrologic differences, both spatially and temporally, as well as considerable differences in legal doctrines that govern water in western states, mean that any federal effort to clarify CWA jurisdiction will inevitably impact each state differently, thus underscoring the need to thoroughly involve states in developing and implementing any rule so as to clearly respect and avoid conflict with state authority over the regulation of water quality and the allocation of waters and water rights within their respective borders; and

WHEREAS, any efforts to redefine or clarify CWA jurisdiction have, on their face, numerous federalism implications that have the potential to significantly impact states and alter the distribution of power and responsibilities among the states and the federal government; and

WHEREAS, as co-regulators, states are separate and apart from the general public, and have a unique role with the federal government in the development and implementation of any rule to clarify or redefine CWA jurisdiction; and

WHEREAS, information-sharing does not equate to meaningful consultation, and the uncertainty and differences of opinion that exist regarding CWA jurisdiction requires EPA and the Corps to develop and implement federal CWA jurisdiction efforts in authentic partnership with the states; and

WHEREAS, uncertainty and differences of opinion have and continue to exist regarding CWA jurisdiction among states, and challenge EPA and the Corps to develop and implement any new rule in cooperation with the states, based on principles of cooperative federalism, and together to provide greater certainty and a clearer definition of the limits of federal jurisdiction; and

WHEREAS, substantial and recurring changes to regulatory definitions, policies, and programs between federal administrations create uncertainty for co-regulators and the regulated community, often leading to unreliable results, indecision, inconsistency, and lawsuits.

NOW, THEREFORE BE IT RESOLVED that Congress and the Administration should ensure that any federal effort to clarify or define CWA jurisdiction and define Waters of the United States:

1. Creates an enduring and broadly supported definition
2. Acknowledges and addresses the needs, priorities, and concerns of states as co-regulators.
3. Includes robust, meaningful, and representative state participation and consultation in the development and implementation of any rule, acknowledging the inherent federalism implications.
4. Gives full force and effect to Congress' intent to maintain a reasonable balance of state and federal authority and the purposes of CWA Sections 101(b) and 101(g).
5. Complies with the limits set by Congress as interpreted by the Supreme Court, and appropriately incorporates those limits.
6. Specifically identifies waters and features outside the scope of the CWA jurisdiction including but not limited to groundwater and historically recognized agricultural and silvicultural exemptions. Additionally, for states with (or seeking) CWA Section 404 delegated authority, provides states with the opportunity to establish processes for defining jurisdictional determinations based on scientifically defensible practices and those limits set by Congress as interpreted by the Supreme Court.

7. Acknowledges that states have authority to protect all “waters of the state,” and that excluding waters from federal jurisdiction does not always mean that they will be exempt from state regulation and protection.
8. Continues to provide access to appropriate technical and financial assistance to the states to protect and improve water quality under existing EPA programs without regard to jurisdictional determinations.
9. Provides a clearly delineated process for resolving differences of opinion over federal and non-federal jurisdiction, and jurisdiction between different States and tribes (treated as states).
10. Provides for mapping of jurisdictional waters as a joint federal/state/tribal effort employing the best available data and tools, with appropriate provisions and processes for map maintenance, and recognizing that verification of jurisdiction still needs to be coordinated with the state.
11. Includes an appropriate delay in the effective date of any new rule or otherwise allows for a transition enabling states to take such actions as may be necessary to address any gaps in state law, regulation and protection, and to ensure sufficient time for tools to be developed by federal agencies, in collaboration with states, that facilitate implementation of the new rule.
12. Recognizes the need to balance definitional clarity with flexibility in implementation to address the unique landscapes, flow regimes, and legal frameworks in various regions of the Nation and appropriately weighs all factors of science, law, and effective policy to draw jurisdictional conclusions that are appropriate, and that do not impinge on the rights of States.
13. Considers a regional approach to the definitions of terms for foundational and any categorical waters in the rule including terms such as “relatively permanent” and “significant nexus” and defines regions building upon existing classification systems based on hydrology, geology, and climate.
14. Provides, in the rule development process, a representative number of states, as co-regulators, with diverse perspectives and regions to engage actively in an integrated way with the EPA and Corps staff to provide direct and effective feedback on the implementability of a proposed rule which requires ample time for development of new regulatory language.

Revised and Readopted
(see former Positions No. 481 – 4/06/22; No. 472 – 9/16/2021;
No. 427 – 10/26/2018; No. 410 – 6/29/2017; and No. 369 – 7/18/2014)

WSWC POLICY STATEMENTS

Position Number	Committee Oversight	Date Adopted	POSITIONS (Policy positions will be deactivated three (3) years after their adoption, unless extended by formal action of the Council.)
526	WQ	10/23/2024	regarding Abandoned Hardrock Mine Cleanup
525	L	10/23/2024	regarding States’ Water Rights and Natural Flows
524	WR	10/23/2024	regarding Bureau of Reclamation Drought Response Program
523	WR	10/23/2024	regarding Drought Preparedness, Prediction and Early Warning Programs
522	WR	10/23/2024	regarding Federal Water and Climate Data Collection and Analysis Programs
521	WQ	10/23/2024	supporting State Clean Water Act Section 401 Certification Authority
520	L	7/26/2024	regarding Endangered Species and State Water Rights
519	WQ	7/26/2024	regarding Water Transfers and National Pollutant Discharge Elimination System (NPDES) Discharge Permits
518	WR	7/26/2024	regarding the Rural Water Supply Project/Infrastructure Needs
517	WQ	7/26/2024	regarding State Nutrient Reduction Strategies
516	L	3/14/2024	regarding the Dividing the Waters program
515	L	3/14/2024	on State primacy over groundwater
514	L	3/14/2024	supporting universal access to reliable, clen drinking water for federally recognized Indian tribes and Alaska native communities
513	WR	3/14/2024	supporting federal research on climate adaptation
512	WR	3/14/2024	regarding water and energy planning and policy
511	WR	3/14/2024	supporting water infrastructure funding
510	WR	3/14/2024	supporting weather station networks
509	WR	3/14/2024	supporting the use of Forecast Informed Reservoir Operations and Innovations
508	WR	3/14/2024	regarding probable maximum precipitation standards
507	L	9/14/2023	outlining actions Federal agencies should take to expedite State General Stream Adjudications
506	WQ	9/14/2023	asserting state primacy on Protecting Ground Water Quality
505	WR	9/14/2023	supporting U.S. Department of Agriculture (USDA) Conservation Programs and Water Resources
504	L	9/14/2023	supporting Indian Water Rights Settlements
503	WR/E	5/24/2023	regarding water-related federal rules, regulations, directives, orders and policies
502	WR	5/24/2023	support federal authorization and financial support through the U.S. Geological Survey (USGS) for State Water Resources Research Institutes
501	WR	5/24/2023	requests Congress fully appropriate receipts accruing to the Reclamation Fund for their intended purpose
500	WR	5/24/2023	supporting NOAA data, forecasting, and research programs
499	L	5/24/2023	opposes any federal legislation intended to preempt state water law
498	WR	5/24/2023	supporting national dam safety programs
497	WR	5/24/2023	regarding the rural water and wastewater project/infrastructure needs and U.S. Department of Agriculture programs
496	WQ	5/24/2023	regarding the clean and drinking water state revolving funds and state and tribal assistance grants
495	WR	5/24/2023	regarding the National Levee Safety Act of 2007, levees and canal structures
494	WR	5/24/2023	regarding the transfer of federal water and power projects and related facilities
493	WR	5/24/2023	regarding the Reclamation Safety of Dams Act of 1978
492	WR	5/24/2023	regarding the Bureau of Reclamation's maintenance, repair and rehabilitation needs
491	WR	5/24/2023	urging Congress to support subseasonal to seasonal weather research, forecasting, and innovation
490	WQ	5/24/2023	water quality standards and federal reserved treaty rights for tribes
489	L	10/21/2022	supporting legislation requiring the federal government to pay state filing fees in state general stream adjudications
488	WR	10/21/2022	expressing support for implementation of the SECURE Water Act
487	WR	10/21/2022	urges the Administration and NASA to enhance focus on research for water resources applications and promote long term engagement with the WSWC
486	WQ	10/21/2022	related to EPA exercise of authority under Section 404(c) of the Clean Water Act,
485	WR	8/5/2022	urging the Administration and Congress to Support Water Research and Development Programs at the Department of Energy National Laboratories
484	WQ	8/5/2022	regarding Hydraulic Fracturing
483	WR	8/5/2022	supporting Strengthening the Resiliency of Our Nation to the Impacts of Extreme Weather Events
482	WR	8/5/2022	on the Preservation of Radio Frequencies necessary for Weather forecasting and Water Management
481	WQ	4/6/2022	regarding Clean Water Act Jurisdiction
480	L	4/6/2022	regarding Migratory Birds and the Management of State Water Rights and Resources
479	WR	4/6/2022	supporting Renewable Hydropower Development
478	WR	4/6/2022	supporting Rural Water Infrastructure Needs & Projects

Sunsetted Positions

2022

#472 Regarding Clean Water Act Jurisdiction (*superseded by more recent position*)

2020

#410 Acknowledges state authority over “waters of the State” and called for recognizable limits to federal Clean Water Act jurisdiction. (*superseded by more recent position*)

2019

#394 Urging Congress to authorize and the Administration to complete a comprehensive study of the Missouri River Mainstem Reservoir System’s authorized purposes and related benefits before addressing an appropriate balance and mix of uses. (*outdated*)

#389 Urging Congress and the Administration to prioritize federal programs that provide the translation function between basic scientific research on climate and weather extremes to water resources management actions. (*positions more recently adopted*)

2017

#373 Letter commenting on the proposed rule developed by the EPA and the USACE to clarify the scope of Clean Water Act jurisdiction. (*proposed rule became the 2015 Clean Water Rule*)

#372 Letter sending comments on the USFS Proposed Directive on Groundwater Resource Management, Forest Service Manual 2560. (*Forest Service has withdrawn their activity*)

#370 The Interpretive Rule Regarding Applicability of the Exemption from Permitting under Section 404(f)(1)(A) of the Clean Water Act to Certain Agricultural Conservation Practices. (*proposed rule was withdrawn*)

2016

#359 Opposing requiring pesticide applications for National Pollutant Discharge Elimination System (NPDES) discharge permits. (*outdated*)

2015

#338 Energy and Water Integration Act of 2011. (*outdated*)

#341 Letter regarding concerns with the Bureau of Reclamation’s proposed changes to the Reclamation Manual. (*outdated*)

2013

#323 A Shared Vision on Water Planning and Policy. (*superceded by a permanent mission statement, A Vision of Water*)

2012

- #313 Letter Regarding National Water Research and Development Initiative Act. (*There is no current legislation*)
- #315 Letter to House Transportation and Infrastructure Committee leaders raising concerns regarding a draft bill entitled the Sustainable Watershed Planning Act. (*outdated, not reintroduced*)
- #317 Supporting the Bureau of Reclamation's Field Services Program. (*outdated*)
- #318 Offering general comments to CEQ on the Principles and Guidelines. (*outdated*)
- #319 Describing principles that are important to the Western states in considering a "national vision" for water policy. (*superceded by more recent position*)

2011

- #297 Strong support for legislation to establish a National Drought Council to improve national drought preparedness, mitigation, and response efforts. (*There is no current legislation*)
- #298 In cooperation with the Interstate Council on Water Policy expressing strong support for increased funding for the Cooperative Water Program and the National Streamflow Information Program. (*superceded by more recent position statements and letters*)
- #299 Supporting S. 2842, the Aging Water Infrastructure and Maintenance Act. (*enacted*)
- #300 Regarding introduction of the Cooperative Watershed Management Act of 2008 (S. 3085). (*enacted*)
- #301 Commenting on H.R. 135, the "21st Century Water Commission," specifically declaring that the WSWC be involved in the selection of members and that it include State and Native American involvement. (*Bill has not been reintroduced*)
- #302 Supporting the enactment of S. 895 to provide the Bureau of Reclamation with authority to assess rural water supply needs and for sufficient funding. (*enacted*)
- #303 Revised resolution in support of the Weather Modification Research and Technology Transfer Act. (*No federal research program or legislation has been reintroduced*)
- #306 Urging support for full funding of the USGS National Streamflow Information Program (NSIP) and sufficient funding for the Cooperative Water Program to match non-USGS contributions. (*outdated*)
- #307 Letter to Senator Bingaman, Senate Energy and Natural Resources Committee, expressing interest in S. 3231, the Omnibus Public Lands Management Act. (*outdated*)
- #311 Letter to Steve Stockton offering assistance to the Corps in their water planning initiative. (*outdated*)

2010

- #287 Setting forth the Council's past perspectives on a proposed "Twenty-First Century Water Commission." (*outdated - see #301 above*)

- #289 Support of the proposed Water Conservation, Efficiency and Management Act, to specifically authorize the Bureau of Reclamation's water conservation programs. (*separately authorized*)
- #290 Concern over the Administration's decision to zero out funding for the U.S. Bureau of Reclamation's Technical Assistance to States (TATS) Program. (*outdated*)
- #291/#292 Regarding the proposed Agricultural Water Enhancement Program. (*enacted*)
- #295 Concern over budget request for federal funding for water and wastewater treatment, specifically EPA's State Revolving Fund (SRF) Capitalization Grants. (*combined with #296 and replaced with #330 – Apr 15, 2011*)
- #296 Concern with OMB directive to EPA disallowing the use of SRF revenues to repay bonds. (*combined with #295 and replaced with #330 – Apr 15, 2011*)

2009

- #276 Urging the Congress and Administration to Continue to Recognize State Primacy Regarding Water Rights and Water Quality Certification in the Federal Licensing of Hydroelectric Projects. (*supplanted by WGA resolution*)
- #277 Letter commending the American Indian Environmental Office of EPA for its efforts in establishing the Tribal Water Program Council and expressing a hope that it would "offer an ongoing opportunity for state-tribal cooperation on issues of mutual interest." (*outdated*)
- #279 Support for legislation (S. 2751 and H.R. 5136) to create a National Integrated Drought Information System within the National Oceanic and Atmospheric Administration. (*authority enacted*)
- #280 Strong support for federal legislation, the National Drought Preparedness Act, to establish a national policy for drought and coordinate "proactive measures at all levels of government to plan, prepare and mitigate the serious impacts of drought." (*deferred to WGA resolution*)
- #281 Support for Reclamation's Water Conservation Field Services Program and "Bridging-the-Headgate" Partnerships. (*outdated*)
- #282 Regarding Federal Non-Tribal Fees in General Adjudications asking the Congress to pass legislation requiring the Federal government, when a party to a general water rights adjudication, to pay fees for costs imposed by the state to conduct the proceedings to the same extent as all other users. (*deferred to WGA resolution*)
- #283 Reiterating strong support for maintaining a thermal band as part of the Landsat Data Continuity Mission, and the necessary funding. (*separately updated*)

2008

- #262 Support for the U.S. Geological Survey's Cooperative Water Program (CWP) and opposes any effort to force the privatization of related USGS services. (*separately updated*)
- #268 The WSWC endorses policy resolutions adopted by the Western Governors' Association, and will allow these policies to guide the Council in matters relevant to implementation and potential reauthorization of the Clean Water Act. (*deferred to WGA resolution*)
- #269 Water Efficiency Standards for Plumbing Products. (*subsequently enacted*)

- #270 Reauthorization of the Farm Bill. (*reauthorized*)
- #271 Support for the National Aeronautics and Space Administration's Landsat Data Continuity Mission and calling for continued funding to include a thermal infrared sensor. (*superceded by 2009 WSWC Position No. 283*)
- #273 Support for the Nonpoint Source Grant program administered by the U. S. Environmental Protection Agency under Section 319 of the Clean Water Act. (*outdated*)

Tab E – WSWC Activities and Events

Western States Water Council Summary of Activities

September 2024 – April 2025

ADMINISTRATION/CONGRESSIONAL OUTREACH

On September 23, 2024 the WSWC sent a letter to the House Leadership in support of the Good Samaritan Remediation of Abandoned Hardrock Mines Act (H.R. 7779), as well as additional comments.

On October 1, 2024 the WSWC sent a letter to Representative Melanie Stansbury (D-NM) in support of the reintroduction of the Water Data Act and supports leveraging state and federal resources to build a national water data framework for sharing, integrating, and utilizing water data and supporting the development of innovative water data technologies and tools.

On February 11, 2025, the WSWC submitted written testimony to the House Committee on Transportation and Infrastructure Water and Power Subcommittee on the Clean Water Act (CWA) Permitting and Project Delivery.

On February 20, 2025, WSWC signed on to a letter to EPA regarding the FY2025-2026 Appropriations for the Clean Water and Drinking Water State Revolving Funds. A similar letter was also sent to the House/Senate Appropriations Subcommittee.

On February 27, 2025, the WSWC joined a coalition letter with over 100 organizations to House and Senate appropriators in support of FY2026 funding for the USGS Federal Priorities Streamgauge (FPS) network and Cooperative Matching Funds (CMF) program. Signers included several WSWC member state agencies, river commissions, water districts, non-governmental organizations and others.

On March 5, 2025, the WSWC sent a letter to the leadership of the House Committee on Natural Resources in support of Rep. Stansbury's WaterSMART Access for Tribes Act (H.R. 635). The bill would authorize the Secretary of the Interior, as needed, to reduce or waive non-federal cost sharing requirements for grants or cooperative agreements under the WaterSMART program. The WSWC supports measures to address the ongoing lack of access to reliable, clean drinking water for federally recognized Indian tribes through the construction, operation, and maintenance of infrastructure.

On April 1, 2025, the WSWC sent a letter to Senate Committee on Energy and Natural Resources Leadership in strong support of the nomination of Andrea Travnick to serve as Assistant Secretary of the U.S. Department of the Interior for Water and Science.

On April 11, 2025, the WSWC joined a coalition letter to House and Senate appropriators calling for full funding of the Clean Water and Drinking Water State Revolving Funds (SRFs). The signers included more than two dozen organizations including the American Water Works Association (AWWA), Association of Clean Water Agencies (ACWA), Association of State Drinking Water Administrators (ASDWA), Environmental Council of States (ECOS), and U.S. Water Alliance.

In April 2025, the WSWC began to send support requests asking for a \$15 million National Weather Service FY26 increase to begin a western S2S precipitation pilot for improving sub-seasonal to seasonal (S2S) precipitation forecasting.

WESTERN GOVERNORS' ASSOCIATION COORDINATION

WSWC staff coordinate with WGA staff on policy letters, positions, statements, and testimony.

WSWC staff have regular monthly calls with the WGA's Water Policy Advisor.

The WSWC is a member of the Western Policy Network, led by WGA, and participates in quarterly calls and provides information for the Network's Roundup Monthly Newsletter.

December 9-10, 2024 – WSWC Executive Director, and Deputy Director/General Counsel attended the WGA Winter Meeting held in Las Vegas, Nevada.

December 17-18, 2024 - WSWC Deputy Director/General Counsel attended WGA's BRAND West initiative workshop, hosted by Utah Governor Spencer Cox in Salt Lake City, on housing resiliency.

WSWC CALLS, MEETINGS, SURVEYS, SYMPOSIA AND WORKSHOPS

On October 22-23, 2024 the WSWC held its Fall Meetings and Joint Meeting with the Interstate Council on Water Policy (ICWP) in Lawrence, Kansas.

WSWC staff continue to work on a summary of results from a past survey designed by the Legal Committee on various aspects of state water rights administration, law, management and regulation.

The WSWC circulated a survey to members seeking opinions and guidance related to current WSWC operations and strategic plans for future directions in preparation for our 60th Anniversary in June.

COORDINATION with WESTFAST AGENCIES

WSWC and WestFAST leadership communicate weekly and via monthly WestFAST calls as needed.

On November 6, 2024, WSWC Executive Director virtually attended the Reclamation Snow Water Supply Forecast Forum.

On November 14, 2024 the State of New Mexico, WSWC, and WestFAST hosted an information exchange workshop in Santa Fe to discuss state, federal, philanthropic, and private sources of funding available to meet the State's water needs now and into the future.

WestFAST WEBINARS

September 25, 2024 – Bureau of Reclamation WaterSMART Program Updates.

October 9, 2024 – Stream Restoration and Water Rights from a Landowner's Perspective.

October 31, 2024 - Energy-Water Resilience & Regional Demonstrations at the Department of Energy.

December 11, 2024 - Stream Restoration and Water Rights: NGO Perspectives and Activities.

COORDINATION WITH OTHER ORGANIZATIONS

November 25, 2024 - WSWC Deputy Director/General Counsel attended the Environmental Council of the States (ECOS) PFAS Caucus virtually.

December 4-6, 2024 - WSWC Executive Director, and Deputy Director/General Counsel attended CRWUA's Annual Meeting in Las Vegas, Nevada, and pre-CRWUA meetings of the Upper Colorado River Basin Commission and Colorado River Board of California.

On March 12-13, 2025 WSWC Deputy Director/General Counsel attended and spoke at the Association of Clean Water Administrators mid-year meeting in Washington, DC.

On March 13-14, 2025 WSWC Deputy Director/General Counsel attended the National Water Supply Alliance (NWSA) Spring Meetings in Washington, DC.

WSWC participates in the Western Regional Partnership's Water Security Deep-Dive calls. WRP is a collaboration initiative involving the U.S. Department of Defense, other federal agencies, the States of Arizona, California, Colorado, Nevada, New Mexico, and Utah, as well as tribal entities to advance shared strategic planning, land management and policy goals.

WaDE DEVELOPMENT AND OUTREACH (Ongoing)

The WSWC continues to lead efforts to make state water-related data Findable, Accessible, Interoperable and Reproducible (FAIR) through its Water Data Exchange (WaDE) and Western States Water Data Access and Analysis Tool (WestDAAT), the preeminent source of data on western state water rights. WestDAAT 2.0 is an update, nearly complete, that allows access to site-specific time-series data, to the extent it is provided by States in a machine-readable format. With support from a WaterSMART applied science grant from the U.S. Bureau of Reclamation, the WSWC is also completing WestCAT, a water Conservation Application Tool, designed to facilitate temporary, voluntary, compensated water exchange programs.

Internet of Water (IoW) Coalition

WSWC Executive Director and WaDE Program Manager share updates and participate in IoW bimonthly check-in calls related to WaDE progress as a major IoW data hub, and IoW Coalition Steering Committee Meeting.

Data Sharing Calls

WSWC staff also conducted the calls related to WaDE water data sharing requests with representatives of the California State Water Resources Control Board; Delaware River Basin Commission; Great Lakes Commission; Minnesota Department of Natural Resources; Oklahoma Water Resources Board; and the Utah Division of Water Rights.

Western Water Data Hub for the Bureau of Reclamation

WSWC staff are also working with the Lincoln Institute of Land Policy and its Center for Geospatial Solutions (CGS) to provide state-based data on reservoir storage and releases, streamflow, and water use for a Western Water Data Hub funded by the U.S. Bureau of Reclamation. WSWC staff also participate with Lincoln CGS and Reclamation on: (1) WaDE and Internet of Water coordination calls to discuss outreach plans; (2) WaDE and Internet of Water coordination calls with Reclamation's Implementation Team leading the Hydrology and Hydraulics Community of Practice (H&H CoP) community; and (3) WaDE and Internet of Water team webinars to introduce the Western Water Data Hub project and distribute a survey to the H&H CoP members soliciting their input and suggestions for the Hub.

Western States Water Data and Analysis Tool Version 2.0 Demonstrations

The WaDE team scheduled three separate demonstrations to showcase the developments for WestDAAT 2.0 (one demo on March 27th and two demos on April 1st). Demonstrations included a brief presentation on new features, a live demo, followed by an open discussion where attendees had access to WestDAAT 2.0 in a staging environment. Attendees were asked to provide feedback on usability, neatness, and suggestions on improvements to better visualize and access the data.

COMMITTEES, TASK FORCES AND WORKGROUPS

Ad Hoc Group on Indian Water Rights Settlements – WSWC Executive Director/Deputy Director

American Water Resources Association (AWRA) – WSWC Executive Director

Internet of Water (IOW) Coalition Steering Group – WSWC Executive Director

National Integrated Drought Information System (NIDIS) Executive Council – WSWC Executive Director, Co-Chair

USGS Water Use Data and Research (WUDR) Open Forum

Western Association of Fish and Wildlife Agencies (WAFWA) – WSWC Executive Director (liaison)

Western Policy Network – WSWC Executive Director

Western Regional Partnership – WSWC Executive Director/Deputy Director

Tab F – WSWC Strategic Directions Survey

WSWC SURVEY RESULTS – WRITTEN FEEDBACK
(v. 3.31.25)

A. What do you see as the primary purpose or value of the Council?

- As the means by which the western state can **collaborate** with each other in order to agree upon **joint water policies, positions and proposed legislation**.
- Developing **positions on proposed federal rulemakings** is an important purpose. Working with conterminous state and federal agencies and on **common water resource issues** is another important purpose.
- Creates a forum for various states to **coordinate and discussion policy similarities and differences**.
- **Information sharing**, tracking **major policy matters, networking** amongst state colleagues
- **Raising awareness** of similar water resource management issues faced by other western states.
- **Exchange of perspectives, ideas and challenges** among States grappling with administering Federal environmental laws
- **Coordination, Information-sharing, advocacy, federal lobbying and engagement** on shared western water issues.
- Good opportunity to **share information** among states, **advocate** for western water issues and **learn from other states'** experiences
- **Information sharing** on state/federal programs
- **Information sharing**; opportunity to **support common policy/interests**
- **Advocating** for Western States to congress on water issues; **coordinating** states **networking** on western states' water priorities; **advising states on national water legislative matters**
- **Information sharing on highlights/challenges** for Prior Appropriation States; opportunity to **learn from one another on the policy-side**; resource from federal level activities
- **Networking** among states. Would be good if it could develop some **lobbying capability**.
- **Learning from** and **networking** with other state and federal water officials.
- **"Share information and coordinate on Federal Activities.**
- **Share best practices and lessons learned** on state water management challenges and solutions; help state agencies **modernize their laws and policies."**
- **Networking** with colleagues from other states
- **Voice of the western states** water agencies into the federal government to develop positions that assist in **shaping water policy**. The discussions and relationships enriched from these meetings is important, inviting, and **provides unity amongst the West**.

- **Finding common ground on issues** at the federal level and **promoting cooperative federalism with states.**
- **Information sharing, networking/ building strength** with colleagues, having a resource for Western-level coordination and it's fit in a National perspective
- **Communicating and advocating for western states' perspectives on federal laws and regulations;** promoting **information sharing** and **interstate communication;** helping establish productive working relationships with federal agencies.
- Coordination of prior appropriation states about western water issues
- Coordinating our responses on critical water issues that we share
- Shared Ideas
- **Connections** with other states, **advocating** for common issues
- Building relationships and **sharing information** and ideas with western states
- Coordination and collaboration of western states on water issues.

B. How does your participation with the Council advance the organization that you represent and its interests?

- **I bring my years of experience** in water rights, transactions and needs in furtherance of the purpose of the Council
- Alaska is a bit different in its' water resource issues, but **topics on data acquisition, data presentation are helpful.**
- It helps me **understand other states laws, policies, and issues they face.**
- Streamlines information gathering on **major federal policy matters** and provides **voice with other western states to express policy positions and statements** on emerging federal policy
- It informs me about **water resource management issues or opportunities** that I can apply in Idaho.
- Provides a **benchmark of State approaches** on water quality matters to assess Kansas strategy
- The Council is an **effective coordination body** that allows states to efficiently **learn from one another and coordinate positions to advance a unified message to the federal government.**
- New Mexico benefits from participating in the Council and **learning from other states**
- Participation with the Council allows our organization to **understand water issues across the West** and **gain information on solutions to problems** that are also affecting our state.
- **Lessons learned**

- **Understanding concerns of other states** helps **inform our water decisions** and ability to **advise state leadership** in an efficient and coordinated manner.
- **resource from federal level activities**; resources for inquiries and gathering information from other states on specific inquiries
- It provides some contacts or support that could **help with our S2S lobbying**. Most of the Council's members are water rights agencies or Clean Water Act permitting agencies and those subjects are irrelevant for us; **we have more in common with large water utilities, either federal or local.**
- It makes us **aware of innovative things** going on within other states and federal agencies.
- The Council has potential but needs some changes to help Western States advance. With changes the council could help Western States better understand each others management frameworks and laws, contemporary and complex management issues, and to more efficiently modernize through information sharing, best practices, and lessons learned. The Council does currently provide significant information to maintain awareness of federal actions.
- **Peer networking within a smaller group can be leveraged with engagement in other organizations.** Specifically, **awareness and engagement of national issues** at a smaller level is easier to get consensus and that can be used as a platform for larger organizations like ECOS, ASDWA, ACWA, etc.
- "Provides the space and community to **discuss water related issues with neighboring states** and states in the west with similar concerns and goals.
- I don't know what role, if any, the Council has had with the **ongoing battle with the US Army Corps of Engineers and downstream states on the Missouri River**. That said, any voice the upper basin states can have in Washington D.C. advocating for states' rights in management of the river is welcomed and important. I also suspect eventually, between tribal interests, and all the states bordering the river there may be movement to try and force quantification of tribal rights and eventually a compact on the Missouri River. South Dakota will need all the help we can get because the upper basin states are out-represented in the U.S. Congress. "
- In my tenure, we have not had a specific issue advanced by WSWC that directly advances Washington State interests. I appreciate **learning how other states are tackling similar water quality problems** even though we may approach solutions differently.
- Increasing awareness and finding partner states with similar issues/concerns.
- Helping to communicate WY's voice on federal issues; learning from other states dealing with similar issues.
- Provides information about western water development; examples of how to handle developing issues; Provides uniform and heightened influence on federal water issues; provides conduit to federal agencies dealing with water; provides forum to build interstate relationships; other benefits as well

- The networking opportunities often help with solutions to problems. At this time in the United States, our ability to respond as a collective and represent and lobby for the needs of our western states has never been more critical.
- Share ideas, shared missions
- Being better informed about national issues and coordinating congressional or federal agency messaging
- Sharing of information on issues and solutions with other states.

C. What **improvements** or **alternatives to the committee structure** should the Council consider?

- Admittedly, we get out of it what we put into it, which is not that much. The structure seems fine.
- I think the committee structure is good. I didn't select highly effective because I am **not sure it's clear what members of each of the committees are expected to do.**
- There **is a lot of overlap between the issues** touched on in the legal committee and the purview of the water resources and water quality issues. Perhaps **this could be folded together?** Also, it is **unclear the exact role of the executive committee** and that could be better delineated and defined.
- I think the 3-committee structure is highly effective to get like-minded people together, but the execution can always grow
- More impactful initiatives besides resolutions
- **A more dynamic structure that allows for more time for discussion and information sharing;** less information presentations; **more policy-oriented topics**
- **Meet as a committee** of the whole. Can have **time blocks on the agenda organized by theme (CWA, litigation, etc) but any votes/discussion on a topic happen only once** without having another meeting just to go over what was already covered. **The current "committees" do almost nothing outside the meetings**, so let's not pretend there's a working committee structure. In the rare instances when some topic generates enough interest for work to happen outside a meeting, **an ad hoc work group can be formed.**
- **Presentations to the committees are not always relevant;** would like to **hear more from states and more relevant topics.** Sometimes feels like consultants or federal agencies are driving the topics vs the states needs.
- I do appreciate the small committee count within WSWC. I am **unclear what the mission/goals/priorities that each committee is working towards.**
- It seems like most people attend all committee meetings no matter the topic. I think more virtual committee meetings between full council meetings would be helpful. Also, often committee meetings can be dominated by federal agency reports. We don't seem to have a true workplan for advancing issues we jointly want to pursue.

- The Water Resource committee only meets at council meetings and it seems like we would make better progress if we met more than 3 times per year.

D. What **improvements** or **alternatives to the resolution adoption process** should the Council consider?

- The default process seems to be to **review expiring existing positions. There are a lot of positions.**
- I am not sure how effective it is. In the time I've been involved it seems **pretty mechanical year after year.** I do feel this is the space where **the council should focus.** I know as a state official I don't have much bandwidth to write or edit content and hope that is a **role of the council staff.**
- I believe the process is highly effective to ascertain positions that are held by all states but it is **sometimes unclear where policy perspectives differ** and thus what the **net impact of our policy positions are in the context of other individual state lobbying efforts.**
- More **frequent work/drafting sessions.**
- Need to liberalize **opportunities to modify and update resolutions** to reflect current events and initiatives
- The committee process is good and **allows members with specific interest and expertise to take the lead on amendments and development**
- It is **unclear how these policy affect change**
- These either take up too much time or not enough time - this seems to be more of a **editing exercise than anything.**
- **Make all the resolutions start/end at the same time** so we're not spending time on them at each meeting. **Handle the resolution process off-line** (virtual meetings, e-mail) so we **don't waste in-person meeting time on them. Clarify the purpose/use** for the resolutions. We waste a lot of time **wordsmithing** whereas clauses that are unneeded. Internal guidance for staff doesn't need something that reads like the preamble to the Constitution.
- It is **unclear how effective the resolutions are and how they are used.** Seems like a lot of time is spent on these. Perhaps opinion would change if had more clarity on whether these are useful and effective and how they are actually used.
- Michelle does an exceptional job in moderating discussions and gaining consensus. **Clear deadlines and action items** would be helpful if a resolution cannot be met during in-person meetings so the resolution doesn't linger for 3-4 months.
- I think sometimes the committee meeting agendas are ambitious and **do not leave enough time for discussion** among the committee members and federal partners.
- It is **unclear the impact that the work of the committees** have. It seems that the **committees would benefit from more focus/strategic goals.**

- It would be good to have the big picture on all the resolutions we have, and how they are used. Does the Council staff use them much? Do any States (or the Council) share them with the Western Governors?
- We have too many policies that most do not pay attention to until there is a conflict. I think we need to have a discussion about **what issues we collectively** have issues care about and want to work on. Committees can be helpful in this instance as it's a better place to work on differences between states.

E. What **improvements** or alternatives to the **notices and the briefing book** should be considered to help you prepare for the Council meetings?

- The briefing book itself is pretty good. Admittedly **there are quite a few issues, much of which don't directly apply to my state's unique issues.**
- The briefing book is helpful. I do think having the **meetings scheduled well in advance is needed.** Schedules are so tight anymore having the dates at least three to six months in advance would be great.
- The briefing documents is **extremely long, but it is helpful.**
- The notice is really just a reminder to make travel reservations. **The briefing book is far too voluminous to wade through,** and much of it is only of interest to specific people (e.g. Clean Water Act administration). Outside of things actually needed for the meeting (agenda, membership list), **just provide a set of links to the content** on your website with 1-2 sentences identifying the content.
- The **detailed agendas come out too late for the agency to effectively plan** whether to attend the meeting in person. The **briefing book is long and it is difficult to access the information** when its in one pdf that is hundreds of pages long, making it difficult to review and digest the materials.
- "Joint ICWP meeting notices are **sometimes unclear/confusing about registration requirements (fees).**
- The **briefing book is quite voluminous** and I usually **don't have sufficient time** to review all the material before the meeting, which **makes me feel unprepared** at times."
- It would be helpful to **have reminders of some notes in the briefing book of when subgroups of committees met in between the formal meetings.** For example, a subgroup of water quality met on x date to discuss revisions to policy z. I find myself scrabbling to remember what we did between meetings. A **short summary of the subgroup meetings** would help me remember as well as **bring transparency** of work done in between meetings.
- I procrastinate, that's not on you. I often read the briefing book on the plane out, which is very helpful
- The briefing books are too long. This may be a factor of too many policies.

F. What additional **opportunities** or alternatives can be instituted to **facilitate members' relationships** and understanding of other states?

- **Updates from states seems to always be an afterthought** and crammed at the end of the meeting. **Relationships with people in other states that do similar work are very helpful.** **Knowing issues and progress other states** are making would be helpful to learn.
- Participation might be more robust with **fewer annual meetings**. I would like to see annual meetings **reduced from three to two**. Alternatively, and perhaps preferable, **two meetings a year in member states and one meeting a year with robust remote participation** support hosted by WSWC from its office in Salt Lake City.
- There is **not a lot of time to have dialogue around specific issues** facing western states. That dialogue is super helpful and informative. I am **interested in hearing more about what other states** are doing and learning from them. Perhaps there could be **surveys on topics of interest to states** and facilitated dialogue about the issues. This would require that the appropriate state reps were present.
- **More time in the agenda for discussion**, state roundtables, etc.
- **Focus topic discussions** and each state addresses the issue
- Webinars?
- **less formal presentations; more dialogue** in general and/or on emerging or trending issues; **panel discussions**
- More time on the agenda for **discussion among members** and less time spent on presentations by federal agencies and others just trying to sell their programs.
- Would prefer to have **more conversations that involve discussion and information sharing**. In person meetings are very structured with presentations versus workshop or **small group discussions to share and discuss issues**. Would like more opportunities for **semi-structured conversation**.
- The **field trips are always interesting** to see host state projects, infrastructure, etc. and network with colleagues from other states. **Agendas tend to be heavily packed** so presentations are rushed and **do not leave time for meaningful dialogue**.
- The council does a great job of this through **surveys and in person meetings**
- The meeting structure is very formal. **It can be intimidating as a new member** to engage. I would have appreciated some **welcome packet or new member briefing** when I first joined to help me navigate the organization's structure and meet the staff and people.
- The agendas need to have less items so more time can be spent in open discussion that is not rushed. We may want to rethink the 1 1/2 day meeting format?
- Building some additional networking time into the agenda; continue the optional pre- or post-meeting workshops.
- Allow more discussion at meetings

- We seem to be more focused on federal issues to **spend more time on other states approaches**. We do have some interaction that is helpful and I often learn from the presentations. I think a more **moderated discussion when we are talking specific issues** may be helpful in understanding different states and how any proposal would impact each of us.
- Ensure that there is **adequate networking opportunities and information sharing**.

G. Other engagement formats you are interested in?

- With how busy schedules are and time-consuming travel can be, I really wish the council would consider just **two in-person/hybrid meetings and one all virtual meeting**. I realize the **by-laws say the council will meet three times a year**. Then we you throw in various workshops and other council conference involvement; it is just too much.
- **Hybrid and virtual participation in committee meetings is typically of poor quality**; very hard to keep up with discussions in person
- **Field trips**
- **Virtual meetings are fine for housekeeping items like resolutions**, but can't replace **in-person meetings for discussion** among members. The Council's **hybrid meetings have been poor** because you don't have the technology to pull it off. A couple of Meeting Owls in a hotel conference room make for a painful meeting for virtual participants.
- For items that we marked both as moderate and high, its going to be topic specific and whether the agenda is relevant to the agencies needs. We think that the in person meetings would provide more value if there were **interactive topic specific discussion as opposed to general networking or presentations**.
- Presenters should always be in person. In person attendance, in general should be highly encouraged
- Have appreciated WSWC's presence at other association meetings (e.g., ACWA).
- We haven't had many workshops or webinars compared to in person council meetings.

H. Further thoughts on how we balance our in-person meeting time?

- **Hold just two in-person meetings a year**. I think they'd be more focused and effective.
- **Field trips are nice** when they are not forced. Sometimes we end up with field trips and site visits that are not very germane to water resource management.
- **Front end load action items on committee agendas; leave informational briefings toward back end**
- If the committees were able to spend more time **on workplans**, the meetings may be more reflective of committee members wants/needs moving forward.
- focus on **promoting engagement and discussion** - get members talking
- The **meeting format needs a complete re-do, lose the committee meeting structure**.

- Would like to see **more time spent on roundtable or small-group topic specific conversations**. The reception and breaks for informal conversations would be more useful if there were **structured prompts and an encouragement for folks to break out of their silos**. The field trips are interesting but sometimes feel driven by consultants or special interests and, thus become less relevant. Speaker presentations can be great depending on the topic.
- **Fewer agenda items**, or added time for **meaningful discussion**.
- The **host state presentations could be incorporated into the committee meetings - with specific topics** by committee topic rather than at the full committee. We have some of that now and it seems the better opportunity for questions and discussion at the committee level.
- Maybe 1/2 day field trips and put one of the committee meetings in the morning of that day? See the not above re agendas with less topics crammed in, they feel rushed and by the end of the Committee meeting day, it's exhausting.
- Love the state reports, but appreciate the emphasis on sharing just 1-2 unique things that may be of interest to other states.
- More impact for fed changes
- More interactive policy discussions.

I. Should we continue to hold our meetings every other Spring in Washington, D.C. to promote engagement with the federal government? If the response is no, why?

- It's a **lot of travel for western states and the timing may or may not align with specific state lobbying needs**.
- No objection to meeting in DC, but those **meetings have been just lecture sessions by a parade of federal agencies**, and meeting jointly with ICWP further cuts down the time for any actual interaction among Council members. **Better to have 3 regular meetings a year plus an separate DC meeting focused on advocacy** (not lectures by federal agencies), which is how most associations handle this.
- We think that this is **an important opportunity**, but the **timing is not ideal due to conflicts with the Oregon Legislative Session**. Would prefer to see this at other times of the year.

J. If the response is yes, how would you prefer to engage as a group with the Congress/Administration?

- **Visiting congressional members is highly important and effective. Small groups with similar issues should continue to meet applicable congressional staff** together
- **Committee meeting with Administration**
- It is **helpful to hear from federal agency leaders** and to express how the **interaction on the local level is working**. Any **congressional visits should be left up to the individual states**.

- depends on key policy issues. I would suggest that the **agenda be established at prior meeting targeting key federal interests around current policy issues of the time.**
- **Discussions with congressional staff**
- **Small groups are effective**
- Develop **briefing materials that are important to all member states and set aside time for Hill visits.**
- **I see value in attending** every year. Hill day where members meet with their own delegation with **WSWC collective talking points** and a Hill day with focused on pertinent committee members for WSWC education. **Visits to federal agency offices**
- We need **more guidance and discussion** on this.
- **States should be included in CoDel discussions.** Advance notice of **talking points and leave behinds** should be provided to states well in advance.
- More engagement with Congress would be helpful with **congressional committee staff.** Also, the federal agency report outs have not had much to say about Washington State. It felt more like a **one-way report out from the federal agencies and missed an opportunity for all states to have an opportunity to share what federal support is needed in each state.**
- Being in DC at least provides for **more local HQ staff** to attend without having to travel. I value that more than congressional visits
- Having their participation in the WSWC meeting as presenters and panelists; maybe more time for roundtable breakout sessions (e.g., Water Quality Committee meets with EPA; Water Resources meets with BOR, etc.)
- Direct meetings
- The congressional staff and federal agency leadership presentations are good. I'd like for WSWC to think about **providing them questions or topics** rather than what seems to be fairly open ended topics for them to decide.
- Timely relevant topics
- There was a ton on the agenda at the last DC meeting. It would be **focus** it a bit more or maybe has **break out sessions.**

K. Should we continue to hold in-person meetings rotating between our 18 states every Spring, Summer, and Fall? If the response is no, what alternative would you suggest?

- **Schedules are just too busy and travel is difficult.** If the organization stays with three meetings a year, at a minimum **one meeting should be moved to virtual only.** It is extremely difficult to spend this much time away from the office and be able to focus this much time on council business.

- I think **two meetings a year is probably sufficient during the years we are not visiting D.C.**
- See comments above. **Reduce in-person meetings to two a year**, with one robustly supported virtual meeting hosted by WSWC HQ.
- **Except for DC meeting, not much need for Spring meeting.** Summer and Fall are more valued
- **Suggest moving to 2 meetings: one in-person and one virtual.**
- Once or twice a year is sufficient
- **Two meetings a year in the spring and fall is sufficient.**
- 2x per year and more focused
- The 3 meetings seem crammed together. I could get equal value from 2 meetings/year. Maybe a. Occasional 3rd that is a special topic workshop or something focused. Rotating among the States is great.
- We should **continue rotating through the states**, but perhaps meeting twice a year instead of three times is adequate.
- Suggest **two in person meetings and then one virtual.** Consider more frequent topic specific virtual meetings where members can share challenges, solutions, etc. Facilitate more information sharing between states.
- twice a year is enough. Maybe a **specific workshop in between** that only those that are interested can attend. And we may be able to **get other staff involved in specific topics and provide staff development opportunities.**
- I would prefer to meet in the spring and fall in person and then **do an all virtual meeting in the summer.** I do like rotating between the 18 states.

L. Please provide three topics that you are interested in seeing addressed by Council in the near future.

- **Atmospheric monitoring by federal agencies**
 - Impacts from staff reductions
 - Making NOAA responsive to water agencies
- **Climate Adaptation**
 - What states are doing to adapt to climate change
 - Impact of climate initiative rollbacks
 - Climate change/changing water supply
 - Climate change modeling/planning in various states
- **Drought response**

- **Engagement and outreach**
 - Working with stakeholders to adopt new ideas
- **Environmental issues**
 - Environmental management of intermittent and ephemeral waters
 - Functional flows determinations
 - EPA Regulatory Reform
 - Impacts of Sackett decision
 - Stream flow forecasting
- **Federal related issues**
 - Rulemaking – ongoing discussions (whiplash management into the future)
 - Federal policy changes under the new administration, federal budget changes, water/energy nexus issues
 - Emerging issues at federal level
 - Opportunities to emphasize cooperative federalism and EPA's definitions of "oversight" with this administration
 - Federal changes
- **Funding**
 - Federal funding strategies
 - Agency funding streams (fees, water use fees, federal funds, etc.)
 - Impact of federal cuts on state water priorities and needs
 - Federal funding to state primacy/delegated programs
 - Reduction in federal support services from USEPA
- **Groundwater**
 - Use of injection wells for managed aquifer recharge
 - Reduction in groundwater use programs
 - Groundwater protection strategies
 - Conjunctive surface/groundwater management
 - GW quantity availability
 - Ground water quantification
 - Groundwater management in various states
- **Reservoir storage**
 - Protecting the integrity of reservoir storage for meeting water needs

- **Reuse and reclamation**
 - Water and wastewater reuse
 - wastewater reuse
 - reclaimed water
- **Surface water monitoring and groundwater monitoring**
 - Impacts from staff reductions
 - Maintaining base federal programs and resources for water data collection (e.g., USGS stream gaging, NRCS SNOTEL, and LandSat),
 - Stream gages
 - Making federal snowpack data programs more efficient/sustainable
 - Impact of federal cuts on water data collection programs.
 - Water data information
 - Surface water data collection improvements
- **State water planning**
 - State water planning efforts
 - Permitting efficiency efforts
 - Flexible water management
 - Emerging issues at state level
 - State sharing of new laws and regulations they've passed and why
 - State Water Planning efforts
- **Water quality**
 - pfas
 - Nutrients
 - PFAS occurrence and management.
 - Updates on recent water quality legal cases
 - Where EPA is going with water quality rulemaking
 - Federal WQ regulatory changes
- **Water rights issues**
 - Adjudication and federal Indian water right settlements
 - Updates to state water laws
 - Over appropriation
 - How states are handling conjunctive management

- Contested case and adjudication streamlining
- Water right transfer review criteria and flexibility/innovations in moving existing water right around without injury.
- **Workforce capacity**
 - onboarding, training and retention
- **WOTUS/WOTS**
 - WOTUS
 - WOTUS

M. Given the Council's finite resources, what should staff focus on to effectively advance its priorities?

- The council should be **wary of mission creep**.
- "Comment -- the Council should **focus its advocacy/outreach** time on things that are **specific to member states' interests and aren't already being covered by others**. For example, any change in CWA regulations will draw thousands of comment letters and there's no need for the Council to do a comment letter just to say me too. Something like USACE saying that only it controls water in a Missouri River mainstem reservoir is the kind of niche issue where the Council should weigh in.
- It's long past time for the Council to **offload WADE/Westdat** on someone else or just pull the plug. It's been a **big drain on staff resources** and wasn't what the Council was established to do."
- **Conducting research on western water topics as requested by committees; facilitating information sharing** among states.
- The organization could focus on **issues specific to Western States** - and **not pursue issues that are already covered at the national level within other organizations such as ECOS**. There can be a bit of redundancy and tracking to make sure the organizations are not saying completely different things and taking different positions.

N. Are there topics you would like to see emphasized more (or less) in newsletter articles?

- About the same.
- I think the **newsletter is helpful**.
- no
- **More emphasis on water resource management state issues**.
- No, always a **good balance between Federal and State news**
- There are many subscription-based newsletters that cover court decisions, ESA and NEPA regs, CWA regs, etc, and odds are that many state agencies already get those. It would reduce your writing time if you **just provided heads-up links to things like Fed Reg**

notices, congressional hearings, court rulings etc, and people interested in those specific items could follow up on their own. Please **stop writing about WGA meetings and governors' state of the state addresses, those are irrelevant to the Council** -- people can look at WGA's website if they want to.

- Federal topics.
- nothing to add
- **I appreciate the summaries of things happening in DC like congressional committee hearings, federal legislation introduced, and court rulings** including when there are special reports of significant issues.
- I admit I don't read it enough to speak fully on it, but when I do, it seems to be heavy on legal. Maybe that's why I don't prioritize reading it?
- Good balance of topics
- If it's taking significant time, maybe it's linking other sources more often rather writing your own. Categorizing the topics or linking back to WSWC topics.

O. What can be done to improve the newsletter to meet your needs?

- Can't think of anything
- Nothing. It is helpful in highlighting items that may be of interest.
- no comments
- There has been less discussion of how federal or state grant money is spent. I'm more **interested in resource management issues and impactful litigation**.
- **less text, more bullet points of summary**
- **searchable database**- does this exist?
- See above. Given that there's the internet and anything really significant will quickly show up there, you could **reduce your workload by going to biweekly**.
- **A monthly or bi-weekly newsletter** of about the same length that captures the most significant highlights would be adequate from my perspective. **It is hard to devote the time to thoroughly digest a weekly newsletter**. If it is hard for me to find the time, I'm certain many other members find it even more difficult.
- Format: Would like to see it **more bullet points/takeways and then links** to more detailed information if have time interest. Don't often need all of the details provided. Focus on what the key takeways are; this could reduce WSWC staff time while meeting the goals of keeping us aware of federal activities.
- Nothing. I appreciate that **the newsletter is brief and timely**, making it a quick and relevant read.
- nothing to add

- I'm **not sure how to track the topics that go in the newsletter**. Could **members be more engaged with sharing current events** in the newsletter?
- Add an hour to my week so I can get to reading it.
- I enjoy the newsletter. Usually I quickly scan for articles of interest. The summaries of recent legal cases or summaries of western states' comments on a particular rule or other issue are especially helpful and I'll refer back to these. I would be OK with a lesser frequency of the newsletter if it helped ease WSWC staff workloads.

P. If other than highly effective: What suggestions do you have to improve advocacy with Congress/Administration?

- **Advocacy is hard to measure.** Clearly the various states have different opinions on certain positions.
- I think **the level of advocacy is good**. The council should be careful to not distract from a **state's need to coordinate directly with their representatives**.
- **More direct communication.**
- **Engage/invite congressional staff** in host state to WSWC meetings
- I don't have enough information to provide an answer, so answered "moderately effective"
- **More communication to states on advocacy actions and materials** on how states can assist/take the lead in advocacy.
- Unaware of if it is effective or actions taken
- Personal opinion is **resolutions are too broad. Boil down to 3 key points that make them digestible and memorable.**
- Many membership organizations do an annual DC fly-in and send position statements to their elected -- this is a feel-good thing for their membership but **doesn't generate results**. Effective advocacy means **identifying a manageable number of very specific and measurable outcomes** (in budgets, statutes, or regulations) and working the **legislative or regulatory process to achieve those**. Just **dropping congressional offices to say hi doesn't do anything**, there needs to be a **very specific ask for the visit**. It's great to be invited to testify at hearings, but the testimony needs to be tied to a specific ask. Also, the Council needs to develop **effective outreach materials for its asks** -- our **position statements are horrible for that purpose and should never be handouts**.
- We **don't know**. We don't get enough information to know what advocacy WSWC is doing and whether WSWC has asked for it. We think its an important role, but don't have enough info to rate.
- Consider **hiring a lobbyist** to further council priorities who can provide **consistent** and regular CoDel engagement.
- I'm not really sure how and when WSWC advocacy efforts occur. Maybe this is a **good topic for the newsletter** - sharing more information about **what WSWC is working on**.

- When the Council members are passionate on a topic, I think we have a reasonable and respected voice. How strong is our connection to WGA? Our purpose is to advise our Governors on Water policy, right? Does WGA reach out to WSWC as they prep their positions?
- We may need to **partner with other water organizations** to support professional lobbying staff to keep us up to date. WSWC seems to be well respected at the federal level. How much of that is organization and how much of that is current leadership. We need to make sure we have a **transition plan** that ensures we don't lose standing or influence with Exec Director change.
- I am **unsure of the outcome** from these efforts.

Q. Is Council advocacy for Western water with the media/general public important to your agency? If so, why?

- It seems that when there is a question as to western water, everyone wants to know the position the Council has taken. **It seems to be the "last word" in western water.**
- No so much, due to Alaska's unique location.
- **I am not sure.** There are so many water councils, I think the **media/general public can't tell them apart.**
- no. messaging can be very nuanced and would be **preferred to be handled by states.**
- Yes. Because the **public lacks awareness about issues** such as prior appropriation doctrine, effectiveness of cloud seeding, or diminishment of water resources.
- not so much, much of the media impetus in water quality comes from the east
- **Advancing state-specific water resources positions to the federal government is important.**
- It does not seem like there is much media or general public interest in the WSWC but the Congressional and agency support is great
- No.
- perhaps if targeted
- Not so much for water quality agenda
- No. **You don't have the resources to do it, at all , let alone do it well.** Many state and most larger local agencies (and NGOs for that matter) already expend resources to do this. CDWR has about 50 staff in its public affairs office.
- I haven't seen much interaction with the media, but I could see this being very beneficial.
- No.
- No

- Yes, **water related issues and policy can be difficult to understand and implement**, so keeping the public and lawmakers educated on this subject is beneficial on the state and federal levels.
- No. **We have our own media and general public communications efforts.**
- No. We have not cited Council documents with the media, maybe we should?
- Yes. Western water issues often aren't well represented; east/west coast perspectives tend to prevail if
- western states don't actively participate.
- Yes. Hearing concerns voiced by third parties that is complimentary to our stances is more readily received by our legislators and the public.
- No. Most of the media that we are involved with or interest in needs to be **coordinated within our state's administration**. WSWC shouldn't be a media entity itself.
- Yes, it conveys water issues in the western states that are unique and not well understood.
- No. **We do a lot of this work.**

R. How can the Council effectively communicate Western water policy and complexity with the media/general public?

- Don't have a good answer but recognize that **more communication with the public the better**
- It seems communication to the media/general public is **better on a local level.**
- **not very interested in this role.**
- Good question.
- put out **quarterly newsletter a la the Family Farm Alliance**
- More **coordination with State communication offices** may be helpful
- More **graphically rich content**
- yes they should, no suggestions on how
- **This isn't the Council's role**
- If this was universally important to member agencies, the council could help facilitate **more media interviews and interactions.**
- In general this should be **left to the states or coordinate with the states to lead.**
- nothing to add
- We would need to identify the **common issues and messaging** that would benefit all the states.

- Maybe there is an opportunity for the Council to collaborate on press 1-pagers or other resources for our PIOs when something is heating up?
- I think WSWC's communication with decision makers is the most important audience right now, rather than dedicating WSWC staff time to general media and public outreach. But I think it would be beneficial if media had a better understanding that WSWC is a good resource on western water issues. I.e., we don't actively need to pursue the media, but I think it would be helpful if media had a better understanding they could reach out to WSWC for information.
- It seems like council members are not always aware of this advocacy either before or after it happens.
- **Brief policy statements on website or in media interviews.**
- No suggestions

S. What will the Western water future look like in your state, and how can the Council be better positioned to engage effectively?

- I can't see my state needing the Council any less than it needs it now. Most likely, more so.
- Probably a little **more emphasis on virtual meetings over in-person would help with our state's engagement.** I think **WSWC staff do an excellent job on the newsletters and include topics relevant to all the states.**
- "I understand the purpose of the council, but I do **worry that mission creep had diluted the value and involvement.**
- Two questions I'd like to have addressed: **How is the council different from all the other various councils and associations that are working in this same space? How can the council stand out to be the premier council for western water policy?"**
- Concerns over water/energy are very integrated and limited supplies of both are going to increase **resource management challenges.** Additionally, **water quality in agricultural areas is an every increasing concern,** particularly as considered with drinking water (SRF programs).
- More people, less resources. WSWC could **increase public awareness of these issues and carry out research on topics** (e.g., quantitative cloud seeding effectiveness) that benefit western states.
- **Water reuse will become the newest tool** in the water supply portfolio; the Council can initiate several policy discussions on minimum considerations for facilitating reuse.
- New Mexico is prioritizing efforts to **modernize our agencies, ensure compliance with interstate compacts and plan for a hotter, drier future.** New Mexico appreciated the opportunity to highlight our work through the **integrated water financing plan.** Thank you!
- **Drier.** Get the governors and lieutenants of meeting states to the table.

- **complex** from a resource management prospective, given the policy framework and current water law framework, coupled with finite water resources
- Given the current political circumstances, in the near-term it would be useful for the Council to be **keeping track of federal staff and budget cuts and general blow-ups**. It's likely that **states will have to step in and fix things the federal administration has broken**.
- Things are becoming **more complicated** and the Council is a valuable entity to help navigate the issues that are coming our way. Chances are, other states have already experiences the same challenges and **we can learn valuable lessons from them**.
- We need to **modernize and we need help in not having to reinvent the wheel** if other states have modernized and found a better way. **We need more information sharing among the states**. If other states have already spent the resources to modernize a policy, or a data system, etc we should be sharing that and seeing how we can all **leverage each others efforts**. There is not enough resources so we must maximize and leverage.
- "South Dakota is in good condition with current water resources and population. This can change given **growth in the state**. We have a few (three) fully appropriated glacial outwash aquifers in Eastern South Dakota with a few nearing full appropriation (~ten). **As an anti-groundwater mining state**, no additional water is allowed to be appropriated from these aquifers. Where development is occurring in the state, isn't where water is readily available, so future use reservations are being applied for and rural water systems are developing/improving to try and alleviate some of this concern.
- Water levels in the aquifers are monitored through manual, seasonal, measurements in a network of observation wells (~1,600 active being measured in state) - in the future, **more E-readers may be installed in these wells** (E readers exist currently in the fully appropriated aquifer observation wells for more real time measurements) and each year more observation wells are drilled into areas of concern and in **aquifers needing more data**.
- We will see **development/use of more efficient irrigation systems in an attempt to add more acres of irrigation in fully appropriated aquifer areas**. As well as, development of **poor to very poor suitability water for irrigation** without real concern for the long term impacts to the irrigator's land. We have seen requests for this but not widespread adoption yet. These issues **may lead to legislation or rule changes to how water is appropriated or managed for irrigation purposes as well**. Around **80% of SD water rights are for irrigation**; however, a little less than 1 million acres are being irrigated in SD compared to neighboring southern states (~7 to 8 million acres).
- I did not receive a response from SD DANR- Water Quality Program in time for this survey - but the **WQ program operates an in-state water quality monitoring network** (~153 active monitoring sites) along various surface water sources and the SD Geological Survey operates a groundwater quality monitoring network. I anticipate **more water quality networking sites** are planned for the future. "

- Drought, **increasing contamination of groundwater and drinking water, nonpoint pollution, ocean energy and hydropower demands, sale of water to out of state interests**
- **Industry and residential growth is still booming.** Being a resource for emerging tech and deploying it safely, effectively, and with an eye to conservation is a tricky balance. Helping the States be nimble in changing times could be a smart move.
- Effective **regulations and policies that balance water quality protection with economic/industry needs for current and future generations. Effective cooperative federalism** and a true coregulator relationship with EPA, rather than a parent-child relationship.
- New Mexico is struggling with the **extended drought and is experiencing the loss of ground water resources that are the primary sources of water in the state.** We are working to **pursue alternative sources** including brackish water, reclaimed waste water, reclaimed industrial waste water including produced water from oil and gas. New Mexico is expected to see a 25% reduction in available fresh water in the next 10 years.
- More impactful engagement
- **Less water availability** as we continue to deplete sources and deal with climate change. We need to have open discussions with people that can provide information about what the future will look like so we can make better informed decisions.
- Current trends point toward **uncertainty and inadequate water supplies.** Continue to meet and share common experiences and solutions.
- It is going to be **tricky with population growth, climate change and all the disruption to in the federal government.** Through continued collaboration and coordination between the western states can help to see the issues and work toward shared understanding and solutions.

WSWC Strategic Directions Survey

Our mission is to ensure that the West has an adequate, secure, and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future.

Section I: Membership Role

1. Who do you represent, and what is your role (e.g., at your state agency)?

2. What do you see as the primary purpose or value of the Council?

3. How does your participation with the Council advance the organization that you represent and its interests?

4. 4. How would you rate your engagement in Council activities and discussions?

⌵ Dropdown

Mark only one oval.

- ☐ Highly Engaged
- ☐ Moderately Engaged
- ☐ Minimally Engaged
- ☐ Not Engaged

Section II: Membership Engagement and Participation

Improving efficiency and efficacy

A. Committee Structure (Executive, Water Resources, Water Quality, and Legal Committees)

5. 1. How effective is the Committee structure in advancing the Council purpose and goals?

⌵ Dropdown

Mark only one oval.

- ☐ Highly Effective
- ☐ Moderately Effective
- ☐ Minimally Effective
- ☐ Not Effective

6. 2. If responded with other than highly effective: What improvements or alternatives to the committee structure should the Council consider?

B. Process for developing, modifying, and renewing policy positions

7. 1. How effective is the current policy resolution adoption process? ⌵ Dropdown

Mark only one oval.

- ☐ Highly Effective
- ☐ Moderately Effective
- ☐ Minimally Effective
- ☐ Not Effective

8. 2. If responded with other than highly effective: What improvements or alternatives to the resolution adoption process should the Council consider?

C. Meeting attendance and participation

9. Why do you attend Council meetings?

Check all that apply

Check all that apply.

- ☐ I attend to represent my agency/state
- ☐ Advocacy - opportunities to weigh in on key issues and policies (state/federal)
- ☐ Interaction-discussion with members from other states
- ☐ Interaction-discussion with representatives of federal agencies
- ☐ Information sharing - presentations on state programs and issues
- ☐ Information sharing - presentations on federal programs and issues
- ☐ Information sharing - presentations on data/technology applications
- ☐ Other: _____

D. Meeting preparation and briefing book

10. 1. How effective is the 10-Day Notice/30-Day Notice in helping you prepare for meetings?

 Dropdown

Mark only one oval.

- ☐ Highly Effective
- ☐ Moderately Effective
- ☐ Minimally Effective
- ☐ Not Effective

11. 2. How effective is the briefing book in helping you prepare for meetings?

⌵ Dropdown

Mark only one oval.

- ☐ Highly Effective
- ☐ Moderately Effective
- ☐ Minimally Effective
- ☐ Not Effective

12. 3. If responded with other than highly effective: What improvements or alternatives to the notices and the briefing book should be considered to help you prepare for the Council meetings?

E. Interstate relationships

13. 1. How effective is the current meeting structure in promoting members' relationships and improving understanding of other states' programs, policies, laws, innovations, and challenges?

⌵ Dropdown

Mark only one oval.

- ☐ Highly Effective
- ☐ Moderately Effective
- ☐ Minimally Effective
- ☐ Not Effective

14. 2. What additional opportunities or alternatives can be instituted to facilitate members' relationships and understanding of other states?

F. Internal engagement format

Methods of sharing information

15. 1. Recognizing that varying engagement formats are advantageous to meet members’ needs, what are you interested in?

Check all that apply.

	Highly Interested	Moderately interested	Not Interested
In-person Council meetings	☐	☐	☐
Hybrid (in- person and virtual) meetings	☐	☐	☐
Virtual meetings (interactive discussions)	☐	☐	☐
Virtual presentations (webinars)	☐	☐	☐
Topic specific workshops	☐	☐	☐
Weekly Newsletters	☐	☐	☐
Email Communications	☐	☐	☐

16. Other engagement formats you are interested in?

17. 2. How should we balance our in-person meeting time relative to our current practices?

Check all that apply.

	Keep the same	Spend more time	Spend less time	More efficient use of this time
Council business (minutes, policy positions, workplans)	☐	☐	☐	☐
Speaker presentations	☐	☐	☐	☐
Roundtable discussions	☐	☐	☐	☐
Host State presentation	☐	☐	☐	☐
Host State field trip	☐	☐	☐	☐
Reception	☐	☐	☐	☐
Breaks for informal conversations	☐	☐	☐	☐
Committee reports to the Full Council	☐	☐	☐	☐
State reports	☐	☐	☐	☐

18. Further thoughts on how we balance our in-person meeting time?

G. Meeting rotation and locations

Rules of Organization: "The Council shall hold regular meetings three times each year at times and places to be decided by the Chair, upon 30 days written notice."

19. 1. Should we continue to hold our meetings every other Spring in Washington, D.C. to promote engagement with the federal government?

Mark only one oval.

☐ Yes

☐ No

20. If the response is no, why?

21. If the response is yes, how would you prefer to engage as a group with the Congress/Administration?

22. 2. Should we continue to hold in-person meetings rotating between our 18 states every Spring, Summer, and Fall?

Mark only one oval.

☐ Yes

☐ No

23. If the response is no, what alternative would you suggest?

Section III: Member Priorities

Council staff typically use the policy positions, workplan tasks, and meeting discussions captured in the minutes to identify the topics of greatest interest to the Council members to guide them in writing newsletter articles, inviting speakers to present at meetings, and developing webinars and workshops.

24. A. Please provide three topics that you are interested in seeing addressed by Council in the near future.

25. B. Given the Council's finite resources, **what should staff focus on** to effectively advance the Council's priorities?

Check all that apply.

	High priority	Moderate priority	Low Priority	Not a priority
Council meetings	☐	☐	☐	☐
In-person government-to- government communication ("lobbying")	☐	☐	☐	☐
Writing comment letters on proposed rules to federal agencies	☐	☐	☐	☐
Submitting written testimony on Congressional hearings	☐	☐	☐	☐
Support running/advancing WADE/WestDAAT	☐	☐	☐	☐
Leveraging WestFAST relationships to assist at the state/local level	☐	☐	☐	☐
Engagement with sister organizations	☐	☐	☐	☐
Public/media education and outreach	☐	☐	☐	☐

26. Other priorities?

C. Other communications, external engagement, and advocacy

Feedback to assist our small staff with limited resources

Newsletter

Staff spend significant time developing content and preparing the weekly newsletter.

27. 1. How effective is the newsletter in its current format?

 Dropdown

Mark only one oval.

- ☐ Highly Effective
- ☐ Moderately Effective
- ☐ Minimally Effective
- ☐ Not Effective

28. 2. How important is the newsletter in supporting your work?

 Dropdown

Mark only one oval.

- ☐ Highly Important
- ☐ Moderately Important
- ☐ Minimally Important
- ☐ Not Important

29. 3. Are there topics you would like to see emphasized more (or less) in newsletter articles?

30. 4. What can be done to improve the newsletter to meet your needs?

External Advocacy

Given limited resources, how can staff best support advocacy efforts?

31. 5. How effective is the Council's advocacy effort with Congress/Administration?

 Dropdown

Mark only one oval.

- ☐ Highly Effective
- ☐ Moderately Effective
- ☐ Minimally Effective
- ☐ Not Effective

32. If other than highly effective: What suggestions do you have to improve advocacy with Congress/Administration?

33. 6. Is Council advocacy for Western water with the media/general public important to your agency? If so, why?

34. 7. How can the Council effectively communicate Western water policy and complexity with the media/general public?

Section V: Your vision for the future

35. What will the Western water future look like in your state, and how can the Council be better positioned to engage effectively?

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Google Forms

WSWC Survey Results

Representing 26 responses from 15 states

Meeting Purpose

Overall Process Purpose: Refocus on the WSWC mission and define actionable goals and approach to advance the WSWC mission.

Today's Meeting: Summarize and validate survey results. Consider discussion and engagement activities to build on input provided for improving WSWC members engagement



Western States Water Council



The purposes of the Council are (Rules of Organization Article II, reworded):

- to accomplish **effective cooperation** among western states in the conservation, development and management of water resources;
- to **maintain vital state prerogatives**, while identifying ways to accommodate legitimate federal interests;
- to provide a forum for the **exchange of views, perspectives, and experiences** among member states; and
- to provide analysis of federal and state developments in order to assist member states in **evaluating impacts of federal laws and programs and the effectiveness of state laws and policies**.

Our mission is to ensure that the West has an adequate, secure, and sustainable supply of water of suitable quality to meet its diverse economic and environmental needs now and in the future.

The Work Ahead

A word cloud featuring the following terms: 'information' (large, blue), 'coordination' (large, blue), 'networking' (medium, blue), 'policy' (medium, purple), 'advocacy' (medium, purple), 'common' (medium, pink), 'learning' (medium, green), 'positions' (small, green), 'collaboration' (small, purple), 'legislation' (small, pink), and 'communication' (small, purple).

Ongoing challenges: Extended drought, increasing contamination of groundwater and drinking water, nonpoint pollution, ocean energy and hydropower demands, sale of water to out-of-state interests

Impacts of growth: We will experience a continued increase in resource management challenges, especially with residential and industrial growth

Innovation: Things are becoming more complex and complicated, making it critical to modernize, innovate, and leverage each other's effort

Alternative water sources: Considering these challenges, alternative water sources (brackish and reclaimed) will become the newest tool in the water supply portfolio

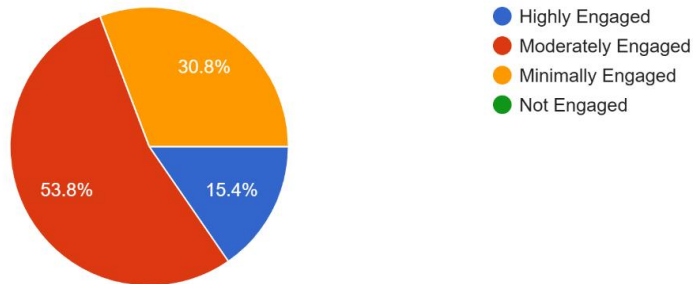
Data and information: In the future, we should continue to leverage installation of more E-readers, observation wells, and water quality networking sites that will be available for more real time measurements and information about aquifers.

Regulations and policies: We will need effective regulations and policies that balance water quality protection with economic/industry/agriculture needs for current and future generations.

Engagement and Value

4. How would you rate your engagement in Council activities and discussions?

26 responses



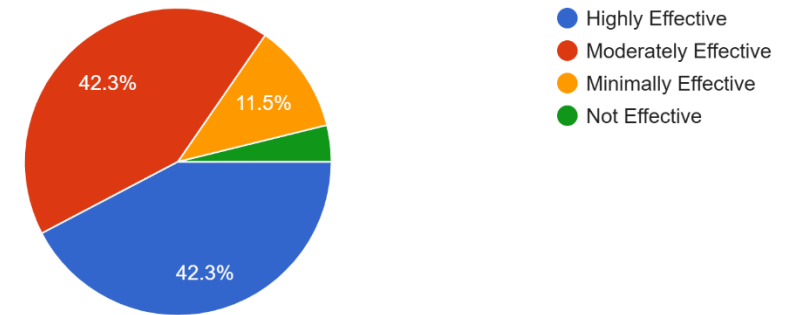
- **Interstate Collaboration & Learning** – Understanding other states' policies, laws, and management strategies to improve local water governance.
- **Federal Policy & Advocacy** – Coordinating a unified voice on federal policies, regulations, and legislation impacting western water issues.
- **Information Sharing & Best Practices** – Exchanging data, strategies, and lessons learned to improve water resource management.
- **Networking & Relationship Building** – Establishing connections among state agencies, policymakers, and organizations to support coordinated efforts.
- **State-Specific Applications** – Using shared knowledge to address unique water challenges within individual states.
- **Modernization & Innovation** – Identifying new technologies, frameworks, and regulatory approaches to enhance water management efficiency.
- **Strategic Influence & Representation** – Strengthening state positions in national discussions, particularly for underrepresented regions.
- **Support for Decision-Making** – Providing resources and expert insights to inform leadership and policy development.

The WSWC Committee Structure

- Clarify the roles and responsibilities of members in each committee, including the Executive Committee.
- Set clearer, more strategic goals for committees to ensure their work is impactful and allow more time in committee meetings for discussion among members and federal partners.
- Committee issues overlap, and it may be beneficial to consolidate them.

1. How effective is the Committee structure in advancing the Council purpose and goals?

26 responses

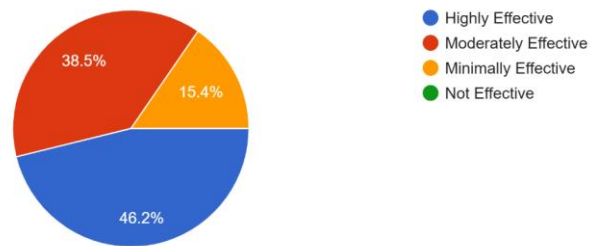


Much of the Council's work is accomplished under the auspices of its three working committees, which meet three times a year: namely, the Water Resources Committee, the Water Quality Committee and the Legal Committee.

Policy Resolution Process

(Rules of Organization, Article IV, 3): Express policy positions regarding proposed federal laws, rules and regulations and other matters affecting the planning, conservation, development, management, and protection of water resources in Western States.

1. How effective is the current policy resolution adoption process?
26 responses



Clarity about the purpose and impact of resolutions is needed (How are resolutions used and how do they influence policy decisions?)

Suggestions for streamlining the review process

- Consolidate resolution review cycles so all resolutions start and end at the same time to avoid continuous updates
- Review can be done in virtual meetings to optimize in-person meetings
- Leverage staff time for drafting and editing
- Establish internal guidelines to finalize resolutions efficiently.

Membership Meetings and Engagement

(Rules of Organization, Article XIII): The Council shall hold regular meetings three times each year at times and places to be decided by the Chair, upon 30 days written notice. Special meetings may be called by the Chair, upon 10 days written notice.

Overall, there is a desire for less formal structure, more networking, increased time for discussion, and more flexibility with meeting formats.

- More opportunities for state-to-state interactions
- More dialogue and discussion time about specific issues, particularly issues facing western states
- Less formal presentations/ more interactive formats
- More networking opportunities
- Reduced number of meetings or have one hosted virtually
- Reduce items on the agenda for more focus on engagement
- Improved orientation for new members to get them ready to participate

Meetings Preparation

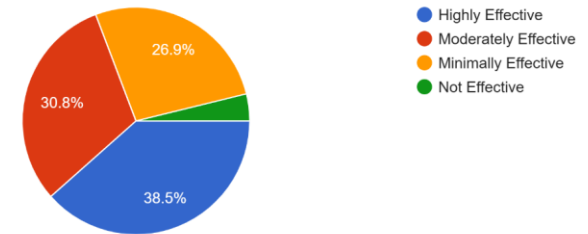
Meeting notice

- Schedule meetings in **advance** (3-6 months to accommodate schedules and travel)
- Provide **clearer notices** and registration instructions
- Provide agendas well in advance of meetings to **promote effective participation**
- Consider having one meeting as **virtual meeting**

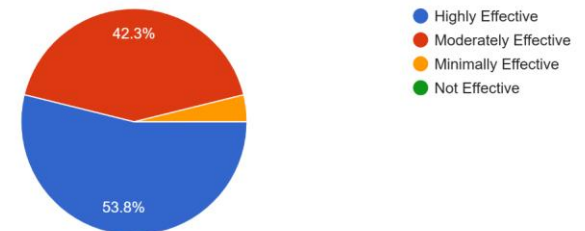
Streamline the Briefing Book

- Too **lengthy**, making it difficult to efficiently review and prepare for the meeting
- Streamline or summarize issues by focusing on **key points** and providing easy access to more detailed information via **links**
- Include a **brief summary of the meetings** held by subgroups in between formal meetings for continuity and transparency

1. How effective is the 10-Day Notice/30-Day Notice in helping you prepare for meetings?
26 responses



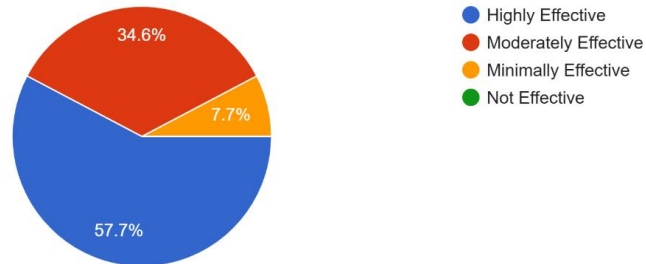
2. How effective is the briefing book in helping you prepare for meetings?
26 responses



WSWC Newsletter

1. How effective is the newsletter in its current format?

26 responses



Overall, many find the newsletter helpful, timely, and easy to scan for relevant topics.

Format: A more concise, bullet-point summary with links to detailed information would improve readability

Frequency: A biweekly or monthly newsletter may be preferable to reduce workload and improve engagement

Content:

- More focus on resource management, impactful litigation, and federal/state grant spending
- More member-driven content contributions could enhance usability

Accessibility: A searchable database



Your Thoughts on WSWC Member Engagement

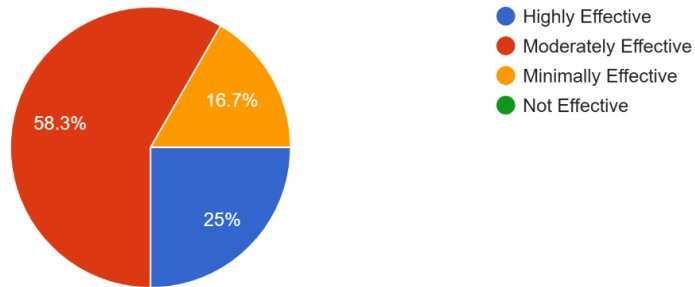
What have we missed?



WSWC Advocacy

5. How effective is the Council's advocacy effort with Congress/Administration?

24 responses



Measuring the effectiveness of advocacy is challenging, leading to uncertainty about WSWC's impact and success in its efforts.

- Provide more direct and transparent communication about WSWC advocacy efforts (newsletter)
- Balance state-level coordination with council advocacy – be additive – One voice
- Create clear, strategic and focused advocacy approach and materials
- Involve congressional staff in WSWC meetings.
- Consider hiring a lobbyist for consistent congressional engagement.
- Strengthen connections with the Western Governors' Association (WGA)



WSWC Public Engagement and Outreach

Mixed Recognition and Influence – The Council is viewed as a key authority on western water by some but lacks broad media or public recognition.

Limited Media Engagement – WSWC has minimal media presence, and many believe it lacks resources to handle public messaging effectively.

Regional Variability – Some states feel less represented due to unique water issues.

The Messenger – Educating lawmakers and the public on western water issues is valuable, but states prefer to manage their own messaging.

Information Source - Be a repository of information generated by WSWC that can be leveraged by states.



Your Thoughts on External Advocacy and Engagement

What have we missed?





WSWC Priority Issues

- Climate Adaptation
 - Drought response
 - Engagement and outreach with stakeholders
 - Environmental issues
 - Federal related issues- impacts of policy changes and staffing
 - Funding strategies
 - Groundwater management and conjunctive use
 - Monitoring: Atmospheric, surface water, groundwater, and snowpack
 - Reservoir storage
 - Reuse and reclamation
 - State planning, regulations, and permitting
 - Water quality – pfas and nutrients
 - Water rights issues
 - Workforce capacity
 - WOTUS/WOTS
-



Your Thoughts on SWSC Priority Issues

What have we missed?



WSWC Principles

1. **Water must be recognized as a critical public policy priority** given the importance of the resource to our public health, economy, food security, environment, and western way of life. We must cultivate a western water conservation ethic through greater understanding of, and appreciation for, water's value.
2. **State primacy is fundamental to a sustainable water future.** Federal water planning, policy development, regulation, protection, and management must recognize, defer to, and support state water laws, plans, policies, programs, water rights administration, adjudication and regulation, compacts and settlements. Rather than attempt to dictate water policy, the federal government should engage states early in meaningful consultation and contribute its fair share of funding to support implementation of state water planning and management, thus avoiding, or at least minimizing, the need for federal regulatory mandates.
3. **An integrated, collaborative, and grassroots approach to water resources management is critical** to the environmentally sound and efficient use of our water resources. States, federal agencies, tribes, and local communities should work together to identify water problems and develop optimal solutions at the lowest appropriate level. Striving for cooperation rather than litigation, we must recognize and respect national, state, regional, local and tribal differences in values related to water resources.
4. Sustainable water resource management and development should **yield long term economic growth, enhanced protection and restoration of significant aquatic ecosystems, and improved economic and environmental security and quality of life.**
5. A secure and sustainable water future will be determined by our ability to **maintain, replace, expand and make the most efficient use of critical water infrastructure.** We must preserve and improve existing infrastructure, as well as encourage and support innovative water supply strategies and new storage options to better balance supplies with demands.
6. All levels of government must **prioritize the collection, analysis and open sharing of reliable data** regarding water availability, quality, and usage given its importance to research for sound science and data driven decision making.

WSWC Follow Up Opportunities



Reimagine the WSWC **MEETING AGENDA**

“The meeting format needs a complete re-do”
“structured prompts and an encouragement for folks to break out of their silos.”



Streamline the **POLICY RESOLUTION** Process

“Personal opinion is resolutions are too broad. Boil down to 3 key points that make them digestible and memorable.”



Develop content for **EFFECTIVE ADVOCACY**

“I am unsure of the outcome from these efforts.”



Clarity on the WSWC **VALUE ADD**

“How is the council different from all the other various councils and associations that are working in this same space? How can the council stand out to be the premier council for western water policy?”

Expanding on Feedback Provided

What should members focus on at the April Full Council Meeting?

- Council meetings agendas
- Policy resolution process
- Advocacy
- Understanding the WSWC unique role
- Others?



Next Steps



Thank you for your contributions!

Tab G – Future WSWC Meetings

WESTERN STATES WATER COUNCIL

FUTURE MEETINGS

2025 Council Meetings/Host States

- Summer – WSWC 60th Anniversary!
Cliffs Lodge
Snowbird, Utah
June 9-12, 2025
- Fall – California
DoubleTree San Pedro Port of Los Angeles
San Pedro, California
September 23-26, 2025

2025 Other Meetings:

Improving Sub-seasonal to Seasonal (S2S) Precipitation Forecasting Workshop
Homewood Suites San Diego Downtown Bayside
San Diego, California
May 7-9, 2025

WSWC-NARF 19th Biennial Indian Reserved Water Rights Symposium
TBD

2026 WSWC Meetings Projections

- | | | |
|----------|---------------|-------------------------------------|
| Spring – | DC Roundtable | last held March 2024 |
| Summer – | Oregon | last held 8/3/2018 in Newport |
| Fall – | New Mexico | last held 10/20/2017 in Albuquerque |

2027 WSWC Meetings Projections

- | | | |
|----------|------------|---------------------------------------|
| Spring – | Idaho | last held 10/26/2018 in Coeur d’Alene |
| Summer – | Washington | last held 7/18/2019 in Leavenworth |
| Fall – | Arizona | last held 3/22/2019 in Chandler |

MEETING SCHEDULE

[illegible]

[illegible]

Tab B – Membership List

WESTERN STATES WATER COUNCIL

MEMBERSHIP LIST

April 17, 2025

OFFICERS

Chair - Vacant
Vice-Chair - **Julie Cunningham**
Secretary-Treasurer - **Earl Lewis**

STAFF

Executive Director - **Tony Willardson**
Deputy Director/General Counsel - **Michelle Bushman**
Policy Analyst - **Elysse Campbell**
Data Analyst/Hydroinformatics Specialist - **Ryan James**
Office Manager - **Julie Groat**

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*Ex-Officio Member

**Executive Committee Member

†Council members denoted by this symbol are listed by virtue of their office, pending receipt of a letter of appointment by their Governor.

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Jerry Rigby - Idaho
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Anna Pakenham Stevenson - Montana
Jesse Bradley - Nebraska
Adam Sullivan - Nevada
Tanya Trujillo - New Mexico
Reice Haase - North Dakota
Julie Cunningham - Oklahoma
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Sara Gibson - Oklahoma
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Hunter Roberts - South Dakota
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Brooke Paup - Texas
Candice Hasenyager - Utah
Todd Stonely - Utah
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Ria Berns - Washington
Brandon Gebhart - Wyoming
Jeff Cowley - Wyoming
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Vacant
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Julie Cunningham
(Vice-Chair)
Earl Lewis
(Secretary/Treasurer)
Tony Willardson
(Executive Director)
Jeanine Jones
(Former Chair)

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*For purposes of Committee rosters, the designation as an "alternate" only reflect the person's function on the Committee.

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Mark Stratford - Utah
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Stephen North - Washington
Chris Brown - Wyoming
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Adam Sullivan - Nevada
Kathy Alexander - Texas
Chris Brown - Wyoming

Micheline Fairbanks (ex-officio member)

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David Hu
Paula Cutillo
BOR - Arthur Coykendall
DOD - Lauren Dempsey
DOJ - Stephen Bartell
USFS - Michael Eberle
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USFWS - Michael Higgins
USGS - Timothy McHale
NPS - Peter Fahmy
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Tab H – Draft FY25-26 Committee WorkPlan
Water Resources / Executive / Water
Quality / Legal

**EXECUTIVE COMMITTEE
WORK PLAN
July 1, 2024 to June 30, 2025**

1. WGA/WSWC COORDINATION and COLLABORATION

Work to date: The Western Governors' Association (WGA) has adopted two comprehensive policy statements, one Water Resource Management in the West (2021-08) and the other Water Quality in the West (2021-10), as well as other policy statements with water-related implications.

The Council has worked closely with WGA on various regulatory and other issues, especially the Corp's Water Supply Rule, EPA's proposed and final rules related to Clean Water Act (CWA) jurisdiction and the definition of Waters of the United States, as well as the CWA 401 State Water Quality Certification.

WGA has taken the lead on some issues and deferred to the Council on other issues, such as tribal water rights settlements.

2024-2025: The Council and the Committee will continue to coordinate and consult with the WGA on matters that come before the Council and assist as requested in the development and implementation of WGA water-related policies. WGA staff are invited to attend and participate in our meetings, workshops and symposia. WGA and WSWC staff collaborate on a continuing basis.

As in the past, the Council may propose policy resolutions for WGA consideration. Further, the WSWC Chair and/or Executive Director will participate in WGA meetings as appropriate. Working with the WGA, the Council will also coordinate Western Federal Agency Support Team (WestFAST) activities and needs. WGA and WSWC will also work together as part of the Western Policy Network.

Subcommittee: Management Subcommittee

Time Frame: ongoing

2. WESTFAST

Work to date: The creation in 2008 of our Western States Federal Agency Support Team (WestFAST) has had many benefits. It is a unique forum for addressing western (and national) water issues that has brought together fifteen separate federal agencies to collaborate with each other and state agencies with water-related responsibilities. WestFAST addresses issues raised with the Council and WGA (which in turn support development and implementation of related federal policies and programs). WestFAST and the Council have also discussed collaborative federalism principles to guide federal/state working relationships.

2024-2025: The Executive Committee will continue to oversee the Council's work with WestFAST. Further, the Committee will work to ensure participating agencies realize the real and

potential benefits of WestFAST, helping to build a sound foundation for continuing collaboration. The WSWC will meet regularly with WestFAST representatives and will continue building and maintaining closer ties with WestFAST principals. The Council will also advocate for continued WestFAST funding.

Time Frame: Ongoing

3. FEDERAL ADMINISTRATION and CONGRESSIONAL VISITS/CONTACTS

Work to date: In an ongoing effort to promote WSWC and WGA positions and priorities, Council officers, members and staff often travel to Washington, D.C. to visit with Administration officials and Congressional members and staff. WSWC members and staff have also previously hosted or presented at briefings for congressional staff on the importance of federal data gathering activities, including Landsat thermal data, U.S. Geological Survey streamgaging programs, USDA's National Weather and Climate Center and its snow survey activities, National Oceanic and Atmospheric Administration programs (including the National Integrated Drought Information System and improving subseasonal to seasonal (S2S) precipitation forecasting), as well as Indian water rights settlements. Some of the feedback from these meetings has suggested a need for greater contact and communication between the Council and federal and congressional policymakers.

Of note, the Council is often invited to testify on proposed legislation. Further, the Council also distributes policy positions adopted at its meetings to House and Senate members of western state delegations, key Congressional leadership and staff, and senior Administration officials.

2024-2025: The Council will continue to communicate our positions with the Administration and the Congress. Future meetings when appropriate will be scheduled with Administration and Congressional contacts and advise them on major national water issues from the perspective of western states. The WestFAST Liaison Officer and WestFAST members will assist with and participate in visits with Executive Branch agencies. The WSWC will meet with WestFAST principals. Other trips and visits may be made as needed. The Council staff and members will also communicate our external positions as the need arises and continue to respond to requests for testimony, briefings and information from the Congress and the Administration.

Subcommittee: Management Subcommittee

Time frame: Ongoing

4. REGULAR COUNCIL MEETINGS

Work to date: The first meeting of the Council was held in Stateline, Nevada in 1965, and regular meetings have been held since. Currently, the Council meets three times per year, rotating among the member states, which host the meetings at a location of their choice. During the pandemic, meetings were held virtually. One benefit of virtual and now hybrid meetings has been expanded participation and reduced meeting and travel costs. Guest speakers and topics for discussion are scheduled according to members' interests and needs. External policy positions for consideration

are noticed 30-days before the Council meets and are distributed not only to members, but also to WGA staff and the Governors' staff. Any position statement not noticed may be brought before the Council for consideration at a meeting by unanimous consent, but if approved, must be sent to WGA for review prior to distribution consistent with mutually agreed upon WGA and WSWC procedures for policy coordination.

2024-2025: The Spring 2023 meetings were held in Reno, Nevada late in May, and the Fall meetings scheduled in mid-September, in Anchorage, Alaska. Therefore, it was determined there would be no Summer 2023 meetings, nor would there be an attempt to schedule a winter meeting. Rather, the WSWC will meet in March 2024 in Washington, D.C. in collaboration with the Interstate Council on Water Policy (ICWP), with a joint roundtable meeting. Unlike past roundtables, the National Water Supply Association (NWSA) will not be joining us.

5. NEWSLETTER

Work to date: *Western States Water* provides members and others with accurate and timely information on various water resources topics, activities and events at state, regional and national levels. It has been provided as a free service to members, governors and their staff, member state water resource agencies, state water users associations, selected multi-state organizations, key congressmen and their staffs, and top federal administration officials. A subscription fee for others has been discontinued. It is primarily distributed via email, and is posted on our website.

2024-2025: Along with the Council's regular meetings, the newsletter requires our most significant commitment of staff resources, though that is usually ancillary to other efforts. The response from members and others receiving the newsletter has been consistently positive. The Council will continue to provide this service weekly via email, except for those who request a hard copy.

Time Frame: Ongoing

6. WATER MANAGEMENT SYMPOSIA

Work to date: An annual WSWC Water Management Symposium has traditionally been held under the auspices of the Executive Committee. However, the Committee has usually asked one of the other committees to take the lead. This includes a biennial Indian Water Rights Settlement Symposia cosponsored with the Native American Rights Fund. The last WSWC/NARF Symposium was held virtually in August 2023. The Executive Committee considers hosting symposia on any topic and issues as their importance merits.

In 2022-23, the Council held a number of meetings and webinars in collaboration with relevant federal agencies, multiple stakeholders, and public and private experts. This included exploring a potential regional approach to defining "Waters of the United States" (WOTUS), and a technical white paper summarizing the discussions was drafted. Further, a National Water Use Data Workshop was held. One goal is identifying common interests and promoting partnerships.

2024-2025 The Legal Committee, under the direction of the Executive Committee, coordinated with NARF in sponsoring the 2023 Indian Water Rights Settlement Symposium, and in 2024 may consider other topics

Time Frame –2023-24

7. ANNUAL REPORT

Work to date: Since its organization in 1965, the Council has prepared and published an annual report, with a brief discussion of the Council’s formation and a detailed summary of its current membership and activities. It is a report of the Council’s meetings and provides an explanation of resolutions and positions and other actions taken by the Council. Further, it includes a description of workshops, seminars and symposia sponsored by the Council, as well as other important activities and events. It also describes the Council’s involvement in major current water policy issues. Lastly, biennially, it includes an audit of the Council’s finances, and current rules of organization. Recently, electronic copies have been distributed.

2024-2025: The staff will work on the current backlog of annual reports.

Time frame: October 2023-June 2024

8. HISTORICAL REVIEW: ISSUES & OUTCOMES

Background: The Council has positions addressing numerous issues and has taken various actions and invested significant resources in attempting to influence outcomes. While the annual report, newsletter, meeting minutes and other sources document such work, there has never been a comprehensive review of some of the major topics addressed and outcomes achieved. Such a summary evaluating the influence the Council has had on outcomes would be useful. The Council has been active in both administrative and congressional affairs, including federal regulatory matters and federal budgeting and appropriations processes. The Council has also provided a forum for states to learn from each other, as well as serving as a resource and catalyst for innovation, such as the WSWC Water Data Exchange. Selecting appropriate metrics for measuring results could be challenging.

2024-2025: The Committee will consider the best means of undertaking such a review and metrics for evaluating the Council’s influence on matters that have been brought before the Council. The Committee, given its oversight functions, will use the results of any summary to guide the investment of Council staff and budgetary resources.

Subcommittee:

Time frame:

9. STATE WATER AGENCY STAFFING AND RETENTION CONCERNS

Background: During the Deadwood, South Dakota meeting in September 2021, various WSWC members raised concerns about hiring, training, and retaining technical and professional staff to carry out essential agency functions. Some turnover or lack of new applicants may be attributable to: (1) high specialization of western water challenges; (2) shuffling among state/federal agencies; (3) smaller salaries compared to the private sector; (4) limited advancement opportunities for mid-level staff; and (5) retirements, pandemic-related adjustments, and younger generation career-culture shifts. On October 22, 2021 and January 24, 2022, various WSWC members discussed challenges and potential solutions that the WSWC might work together to be able to accomplish.

2024-2025: The Committee will consider: (1) a brief survey of states to identify obstacles, with the intent to create a report that may be utilized to demonstrate the staffing needs of state water agencies across the West; (2) a mechanism for sharing job postings at state water agencies across the West that is cost-effective; and (3) developing a pipeline of incoming staff by introducing a younger generation of potential employees to day-to-day work of technical and professional staff, complex western water challenges, and benefits beyond salaries (e.g., through webinar series, cooperation with universities or other organizations).

Subcommittee: Henry Brooks, Jerry Rigby, Mary Anne Nelson, Connie Owen, Earl Lewis, Matt Unruh, Jesse Bradley, Sara Gibson, Jeanne Goodman, Kathy Alexander, Kim Nygren, Jeff Cowley

Time frame:

Tab XYZ – Sunsetting Positions for Summer
2025 Meetings (#482 - #485)



**RESOLUTION
of the
WESTERN STATES WATER COUNCIL
on the
PRESERVATION OF RADIO FREQUENCIES
NECESSARY FOR WEATHER FORECASTING AND
WATER MANAGEMENT**

**Polson, Montana
August 5, 2022**

WHEREAS, the Administration has launched a \$45 Billion “Internet for All” Initiative to Connect Everyone in America; and

WHEREAS, National Telecommunications and Information Administration (NTIA) sets policy regarding allocations and regulations governing the federal spectrum use, assigns frequencies, and participates in all aspects of the Federal government's communications related emergency readiness activities; and

WHEREAS, the Federal Communications Commission has been aggressively engaged in efforts to make as many frequencies of the radio spectrum as possible available for commercial broadband and wireless technologies, licensed and unlicensed; and

WHEREAS, legislation has been introduced that would require an estimation of the value of the electromagnetic spectrum assigned or otherwise allocated to federal entities, between 3 kHz and 95 GHz; and

WHEREAS, a proposed basis for estimation is “the value that the electromagnetic spectrum would have if the spectrum were reallocated for the use with the highest potential value of licensed or unlicensed commercial wireless services that do not have access to that spectrum as of the date of the estimate...while preserving the spectrum access necessary to satisfy mission requirements and operations of Federal entities;” and

WHEREAS, much of the nation’s data for emergency and administrative information on weather, river and streamflows, groundwater and forest fires are transmitted from remote platforms to satellites (GOES and POES) and then to “direct receive or downlink” stations on the 1675-1710 MHz range of the spectrum; and

WHEREAS, Earth-observation satellites use several radio frequency bands tied to the physical properties of the scientific measurements, including water vapor (23.8 GHz), rain and snow (36-37 GHz), atmospheric temperature (50.2 – 50.4 GHz), clouds and ice (86 – 92 GHz) and others; and

WHEREAS, sharing bandwidth, or noise from adjacent bands on the spectrum with inadequate controls, has the potential to interfere with the quality, accessibility, and utility of Earth-observation satellite data and data collected and transmitted from remote platforms on earth to satellites; and

WHEREAS, significant public and private funds have been invested to establish our satellite and ground networks, many of which would be costly to replace, and some of which are irreplaceable; and

WHEREAS, the serious, unintended consequences of data interference may include degradation in short-term weather forecasts; loss of data for streamgaging and water monitoring networks; ability of state and federal agencies to prepare for and respond to floods, fires, and extreme weather events; the ability of western states to administer and manage their scarce water resources and water quality programs; and risks of loss to human life, health, welfare, property, and environmental and natural resources.

NOW, THEREFORE, BE IT RESOLVED that the Western States Water Council supports efforts to preserve frequencies needed for weather forecasting, streamgaging, and related water and emergency management information needs.

BE IT FURTHER RESOLVED that the Council supports interagency coordination between the NTIA, FCC, NOAA, USGS and other state and federal agencies, to quantify and analyze the effects of commercial broadband use on satellite observation data and transmissions.

BE IT FURTHER RESOLVED that the Council supports a meaningful evaluation of the existing government and potential alternative uses of the electromagnetic spectrum without discounting the costs of natural disasters and degradations in data needed for water management decisions, and with input from the States as appropriate.



**POSITION STATEMENT
of the
WESTERN STATES WATER COUNCIL
in support of
STRENGTHENING THE RESILIENCY OF OUR NATION
TO THE IMPACTS OF EXTREME WEATHER EVENTS**

**Polson, Montana
August 5, 2022**

WHEREAS, the West and the Nation continue to suffer the effects of increasingly extreme weather events, including tornadoes, hurricanes, extreme precipitation, flooding and drought, resulting in the loss of life and economic, social, and environmental damages; and

WHEREAS, Western States have recently experienced extreme seasonal and year-to-year weather volatility that has brought record or near-record events with floods, followed by drought and wildfires, as well as devastating tornadoes, all threatening public safety and property, and often taxing the capacity of our aging water infrastructure; and

WHEREAS, widespread flooding along many western rivers and streams, including the Clark Fork, Flathead, James, Tanana, Yellowstone, and others, have demonstrated the continuing need for more flood control capacity and early warning systems, with timely and accurate forecasts; and

WHEREAS, there is a need for developing new monitoring technologies such as remote sensing that provide more timely data availability and better spatial coverage for assessing flooding and drought impacts; and

WHEREAS, prolonged drought increasingly afflicts the West and the Nation, and affects the performance of interstate compacts and international treaties; and

WHEREAS, extreme prolonged drought has led to the cooperative development and implementation of the Drought Contingency Plans (DCPs) by the Seven Colorado River Basin States, the United States and Mexico and calls by the Department of the Interior for further reductions in water use; and

WHEREAS, flood control, drainage and other water resource issues also involve relations with Canada, including negotiations over renewing the Columbia River Treaty; and

WHEREAS, present water resources planning and sound decision-making depends on our ability to understand, monitor, predict, and adapt to droughts, floods, extreme storms, and other weather events; and

WHEREAS, in the West, sound decisionmaking demands accurate and timely data on precipitation, temperature, soil moisture, snow depth, snow water content, streamflow, and similar information; and

WHEREAS, investments in observations, research, forecasting, and monitoring the development of extreme weather events provide an opportunity to significantly improve real-time water rights administration, planning and project design, and operations to maximize storage, avoid or minimize the loss of life and property, as well as mitigate economic and environmental damages; and

WHEREAS, the Weather Research and Forecasting Innovation Act of 2017 was reauthorized in 2019, together with the National Integrated Drought Information System Act, and both are soon due for reauthorization; and

WHEREAS, the Council continues to support NOAA's National Integrated Drought Information System, implementation of the Weather Research Act, and emergency drought response authorities for the Bureau of Reclamation and other federal agencies; and

WHEREAS, a National Academy of Sciences' report suggests a pathway and 10-year research agenda for advancing our capabilities with a vision of a decade from now using subseasonal to seasonal (S2S) forecasts as widely as we now use 5-10 day weather forecasts; and

WHEREAS, the Council has urged NOAA to implement the western pilot project for improving S2S precipitation forecasting contained in its 2020 report to Congress pursuant to the Weather Research Act; and

WHEREAS, NOAA has allocated minimal resources for improving the skill of S2S forecasts (forecasts extending from 3 weeks to 2 years); and

WHEREAS, western states' precipitation originates as storms moving over the Pacific Ocean and Gulf of Mexico, and the absence of key ocean observations constrains the ability to improve the skill of precipitation forecasting at near-term weather and S2S timescales; and

WHEREAS, advances in weather forecasting and research, such as that of NOAA's Hydrometeorological Testbed program on West Coast atmospheric rivers, demonstrate the potential for improving extreme event forecasting at the operational time scale; and

WHEREAS, the Council has supported development of an improved observing system for western extreme precipitation events, to aid in monitoring, prediction, and climate trend analysis associated with extreme storms; and

WHEREAS, there is a need for maintaining and improving existing monitoring networks that help provide early warning as well as tracking impacts of extreme events; and

WHEREAS, there is a need for improving precipitation forecasting at all time scales to support implementation of Forecast-Informed Reservoir Operations (FIRO); and

WHEREAS, there is a continuing need for greater collaboration between and among federal agencies, state agencies, local governments, non-governmental organizations and public/private organizations and businesses.

NOW THEREFORE BE IT RESOLVED, that the Western States Water Council supports as a high priority appropriate federal appropriations and actions to plan, prepare for and avoid, minimize or mitigate the impacts of extreme weather events, including implementing the S2S forecasting pilot project recommended in NOAA's report to Congress and implementing NOAA's proposed Precipitation Prediction Grand Challenge.

BE IT FURTHER RESOLVED that the Western States Water Council also supports legislation advancing the goals of: (1) minimizing the loss of life and property and economic, environmental and social cost from extreme weather events; (2) improving collaboration and coordination among agencies and organizations at all levels; (3) increasing consultation with state, local and tribal governments; (4) maintaining and enhancing data gathering and monitoring, as well as communication capabilities, identifying and addressing gaps and overlap; (5) identifying and addressing federal agency responsibilities, as well as regulatory and other preparedness and response barriers, (6) recognizing and addressing regional differences; and (7) advancing research within the physical sciences, and dynamical and statistical modeling to improve our S2S forecasting capabilities.

BE IT FURTHER RESOLVED that the Western States Water Council pledges to work with the Administration and the Congress to appropriately address current and future needs to improve S2S forecasting and extreme events response and resiliency.



**RESOLUTION
of the
WESTERN STATES WATER COUNCIL
regarding
HYDRAULIC FRACTURING**

**Polson, Montana
August 5, 2022**

WHEREAS, hydraulic fracturing is a process that injects sand, water, and other fluids, including various chemical compounds, underground to aid in the extraction of oil and natural gas; and

WHEREAS, hydraulic fracturing has been used for over 60 years in oil and gas production, with over one million wells having been fractured in the United States alone; and

WHEREAS, states have primary and exclusive authority over the allocation and administration of rights to the use of water used in hydraulic fracturing operations; and

WHEREAS, states have decades of experience, knowledge, and information regulating hydraulic fracturing and other oil and gas activities, and making decisions regarding the protection of their water resources; and

WHEREAS, states are best positioned to regulate hydraulic fracturing because of their understanding of regional and local conditions and their ability to tailor regulations to fit the needs of the local environment.

NOW, THEREFORE, BE IT RESOLVED, that federal efforts involving hydraulic fracturing, including efforts to study potential adverse impacts on water quantity and quality, should leverage state knowledge, experience, policies, and regulations.

BE IT FURTHER RESOLVED, that federal efforts to study the potential impacts of hydraulic fracturing on water resources should be based upon sound science and driven by states' research and policy priorities.

BE IT FURTHER RESOLVED, that the Western States Water Council opposes any and all efforts that would diminish the primary and exclusive authority of states over the allocation of water resources used in hydraulic fracturing.



**RESOLUTION
of the
WESTERN STATES WATER COUNCIL
urging the
ADMINISTRATION AND CONGRESS
TO SUPPORT WATER RESEARCH AND DEVELOPMENT PROGRAMS
at the
DEPARTMENT OF ENERGY NATIONAL LABORATORIES**

**Polson, Montana
August 5, 2022**

WHEREAS, the Western States Water Council (the Council) has long recognized that water and energy resources are interdependent – using one requires the other – and this presents a particular challenge in the West, where energy demand continues to rise while water supplies are increasingly stressed; and

WHEREAS, integrating, protecting, and wisely managing our national water and energy resources for the benefit of our present and future generations, is increasingly important; and

WHEREAS, one purpose of the Council is to accomplish effective cooperation among western states (and our federal partners) in the conservation, development and management of water resources; and

WHEREAS, a second purpose of the Council is to maintain vital state prerogatives, while identifying ways to accommodate legitimate federal interests; and

WHEREAS many watersheds are already fully-appropriated, and new stresses are emerging from climate, population growth, land use changes and water needs for energy development and production; and

WHEREAS, there is growing concern, particularly in the Arid West, over our ability to continue to supply water of adequate quality in quantities needed to sustain current and future uses, including energy, as well as agricultural, municipal and environmental uses; and

WHEREAS, the failure to provide for such needs would have significant regional and national consequences; and

WHEREAS, present water and energy resources planning and sound future decision-making depends on our ability to understand, monitor, anticipate and adapt to changing conditions; and

WHEREAS, electricity generation and other energy development is a significant driver of present and future water demands and the expertise and research of the national labs can supplement and enhance the ability of state, local and tribal water managers to understand and develop adaptation strategies; and

WHEREAS, water-related research at the Department of Energy's Office of Energy Efficiency and Renewable Energy, Office of and National Laboratories has included:

- exploring the energy-water nexus;
- highlighting energy-water-carbon nexus challenges and opportunities;
- developing unique multisector and multiscale model frameworks to address critical planning and operational decisions at the energy-water-land nexus;
- evaluating synergies between energy and water infrastructure to improve reliability and resiliency;
- understanding interactions among atmospheric particles, clouds, the land surface, and human activities;
- providing decision science, support and informatics for balancing water supply and demands;
- developing domestic water use projections;
- decreasing water and energy demands through efficient use;
- promoting sustainable groundwater management and storage opportunities while reducing cost and energy demands and insuring water quality;
- advancing next-generation hydropower and pumped storage systems;
- modernizing irrigation;
- increasing the safety, security, and sustainability of water infrastructure through the development of advanced technologies that create new water supplies;
- improving desalination membranes;
- managing water in a low-to-no snow future; and
- conducting research and development in hydrogen production, delivery, and storage for multiple end uses.

WHEREAS, such research should be guided by state needs as expressed in state water and energy planning documents and through state planning processes with a focus on water resource demands and water quality impacts; and

WHEREAS, in the West, States in compliance with State law have exclusive authority over the appropriation and adjudication of water rights for all uses, and the allocation of water for energy development, including the determination of whether or not there is any unappropriated water available for use.

NOW, THEREFORE, BE IT RESOLVED that the Western States Water Council urges the Administration and the Congress to recognize the value of Department of Energy hosted energy-water programs and research conducted at National Laboratories undertaken in collaboration with state water resources agencies, including but not limited to work at: the Idaho National Laboratory (INL); Lawrence Berkeley and Lawrence Livermore National Laboratories in California; Los Alamos and Sandia National Laboratories in New Mexico; the National Renewable Energy Laboratory (NREL) in Colorado; and Pacific Northwest National Laboratory (PNNL) in Washington, that collaboratively links federal energy research programs and water issues of concern to the western states.

BE IT FURTHER RESOLVED that the Western States Water Council urges the Administration and the Congress to encourage collaboration and cooperation between the National Laboratories and other federal agencies, including but not limited to the National Oceanic and Atmospheric Administration (NOAA), U.S. Bureau of Reclamation (USBR) and U.S. Geological Survey (USGS) to leverage federal expertise and resources (including supercomputing power; climate and precipitation site sensitivity analysis; systems analysis, integration, and security, etc.) in addressing the Nation's water-related challenges.

BE IT FURTHER RESOLVED that the Western States Water Council urges the Administration and the Congress to recognize the primary role of the States in allocating water for energy.